

1 SOUTHCENTRAL
2 FEDERAL SUBSISTENCE REGIONAL
3 ADVISORY COUNCIL

4 Taken at:
5 Hawthorn Suites Hotel
6 Anchorage, Alaska

7 October 3, 2001

8 ATTENDANCE

9 Council Members Present:

10 Ralph Lohse, Chair
11 Fred Elvsass
12 Roy S. Ewan
13 Fred John
14 Clare Swan

15 Coordinator:

16 Ann Wilkinson

17 Others Present:

18 Tom Boyd, US FWS; Tim Jennings, US FWS; Carl
19 Jack, BIA/US FWS; Pat Petrivelli, US FWS;
20 Bill Knauer, US FWS; Richard Uberuaga, US
21 FWS; Pete Probasco, US FWS; Ida Hildebrand,
22 BIA; Helga Eakon, OSM; Michelle Chivers,
23 OSM; Eric Veach, Wrangell-St. Elias National
24 Park; Larry Buklis, OSM; Ken Holbrook,
25 Chugach National Forest; Lonita M. Lohse,
26 Chitina Native Corporation; Dave Nelson,
27 NPS; Sandy Rabinowitch, NPS; Charles
28 Swanton, ADF&G; Larry Boyle, ADF&G; Janet
29 Cohen, NPS; Devi Sharp, NPS; Mason Reid,
30 NPS; Chris Dippel, US FWS; Connie Friend,
31 Tetlin NWR; Arvid Hogstrom, WRST; Gloria
32 Stickwan, CRNA; Betty Goodlataw, Tazlina;
33 Sue Aspelund, CDFU; Molly McCormick,
34 Wrangell-St. Elias National Park; Sandy
35 Scotton, NPS; Rob Spangler, USFS; Lin
36 Perry-Plake, ADF&G; Jane Nicholas, Cantwell;
37 Bruce Cain, Native Village of Eyak; Michael
38 Link, LGL; Dan LaPlant, OSM; Jim Hall, Kenai
39 NWR; Doug McBride, OSM; Ray Neeley, Ahtna;
40 Milo Burcham, USFS; Bob Gerhard, NPS; Mary

1 McBurney, NPS; Rod Simmons, FWS; Sherry
2 Wright, ADF&G; Wilson Justin, Mt. Sanford
3 Tribal Consortium; Joseph Hart, Ahtna; Gary
4 Sonnevil, US FWS; Sabrina Fernandez,
5 Attorney General's Office; Barry Mayala,
6 USDA; Martin Myers, USFS; Thomas Hicks,
7 Chistochina; Greg Bos, FWS; Linda Tyone,
8 CRNA; Virginia Gene, CRNA; Donald Mike, OSM;
9 Judy Gottlieb, NPS; Tim Joyce, USFS; Bob
10 Hench, Eyak; Ken Thompson, USFS; Taylor
11 Brelsford, BLM; Bill Simeone, ADF&G; Richard
12 Davis, OSM; Robert Lohse, Lower Tonsina;
13 Gary Stervig, Chickaloon Village; Jeffrey
14 Bryden, USFS; Jeff Denton, BLM; Hollis
15 Twitchell, Denali National Park; Steve
16 Klein, FWS; Jessica Cochran, APRN; Jeff
17 Denton, BLM; Matt Evenson, ADF&G; Jerry
18 Berg, US FWS; Patty Brown-Schwalenberg,
19 Chugach Regional Resources Commission; Pete
20 DiMatteo, US FWS; Delice Calcote, Cook Inlet
21 Marine Mammal Council; Beth Haley, LGL; Fred
22 Bahr; Charlie Edwardsen.

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1 PROCEEDINGS

2 MR. LOHSE: Good morning. Come
up close. Good morning.

3 SPEAKERS: Good morning.

4 MR. LOHSE: Now, class has
5 started so you've got to be quiet.
Not bad for a bunch of adults.
6 If you were teachers, it wouldn't work.
We'll call the Southcentral Fall Regional
7 Advisory Council for the fall back in
session. We're missing one of our members,
8 but we do have a quorum.

We're going to hear from
9 reports -- the agency reports. We've got a
volunteer to present one of their agency
10 reports. One of them is here. We'll ask
Hollis to present his agency report right
11 now. If that's all right with you.
Hollis?

12 MR. TWITCHELL: Good morning.
13 I'm Hollis Twitchell with Denali National
Park and Preserve. Thank you for letting me
14 go early this morning. I have just several
items to bring before you, only one of them
15 requires any action or -- on our SRC's
behalf requests an action on your part. The
16 others are just informational.

The first one is covered in the
17 first page of the handout that I gave you,
and it deals with a hunting plan proposal
18 that the Denali Subsistence Resource
Commission advanced at their last meeting,
19 which was held in April, 2001.

And the -- I was hoping that
20 Gilbert would be here with you today since
he also serves on the Denali Subsistence
21 Resource Commission, but since he's not here
I'll go ahead and go through this
22 recommendation for you, and the thoughts of
the SRC, as I recall.

23 They're going through the
consultation process that's required for a
24 hunting plan proposal in which we go out to
the advisory groups to the Fish & Game Local
25 Advisory Committees, and also to the public
at large to get their opinions.

1 The proposed recommendation from
2 the Commission recommends that a minimum
3 residency requirement of three years be
4 established for individuals moving into the
5 Cantwell residence zone. The residency
6 requirement would have to be met prior to
7 gaining eligibility to hunt in Denali
National Park. The recommendation would
8 permit individuals who temporarily leave the
9 Cantwell community either for the military
10 or school services to regain their
11 eligibility and residence if they move back
12 into the Cantwell residence zone.

13 The Commission only advanced this
14 request for the Cantwell residence zone
15 because of some relatively significant
16 changes that have occurred in that
17 particular community over time. And
18 probably the first involves the gradual
19 growth in the community itself. The 1980
20 census for Cantwell was 89 individuals.
21 That was followed by the 1990 census which
22 put the population at 145 individuals. And
23 last year's 2000 census puts the population
24 at 222.

25 So, in the last 20 years, there's
been over a doubling of the population in
the Cantwell community.

 The discussion session below
identifies some other concerns that have
been raised by the Commission. First of all
was a recognition that people are moving
into the Cantwell community at a lot greater
rate and staying for a shorter time and
there tends to be a transient nature of some
of the new arrivals into the community, and
they're concerned about individuals who move
in and upon declaring Cantwell their
permanent residence immediately gain
subsistence eligibility onto the parklands
in the Cantwell area.

 Again, they talk about over the
20 years that there's been over a doubling
of the population and this growth in terms
of the transient nature of a lot of the
newer arrivals, and they're concerned about
the effects that has on the local resources
in the area as well as the long-term users
who have used the area.

 The Commission believes that it

1 takes more than just a year or two to really
learn the traditional uses of the area for
2 Cantwell. Probably most notably is the
traditional trapping zones and areas that
3 are used by families or households over time
where a lot of the new arriving people
4 really don't have the opportunity to learn
and understand just where those traditional
5 uses occurred and by who. It's also been
manifested in some of the hunting pressures
6 in the area.

Unit 13(e) has had about an
7 eight- to nine-year decline in moose
populations in that area and also declining
8 caribou population with the Nelchina herd,
and the parklands associated with the
9 Cantwell area has become more and more
significant as a use area as Cantwell people
10 have had to depend to a larger extent on
those parklands as populations have
11 diminished elsewhere in neighboring states
and Native land areas.

12 Again, the SRC only is proposing
this for the community of Cantwell. Our
13 other resident-zoned communities are stable
and in one case the community is actually
14 declining in number, Telida Village.

So this proposal is out for
15 public comment and they would request your
consideration on this.

16 If you have any questions, I'll
answer it before I move on to the other
17 items.

18 MR. LOHSE: Hollis, do they have
any feeling at all that that -- that most of
19 the more transient people move in three
years so that -- I mean, was there a reason
20 they picked three years? Do a lot of people
come and go in a shorter than three-year
21 time period?

22 MR. TWITCHELL: I don't have
those figures or numbers, but there is a
23 sense that those people that move in, it
takes more than just a year or two for them
24 to really understand what the local use
areas are, what families and households are
25 dependent on certain areas. So, there's
been a fairly rapid influx of people into

1 areas that local people have significantly
2 depended on.

3 The actual duration of what most
4 of the people are, I don't have those
5 numbers.

6 MR. LOHSE: I notice that they
7 only ask for Cantwell. Is Cantwell -- I
8 mean, is there any -- any kind of either
9 government or oil or something like that
10 going on in that area that brings people in
11 so that -- that don't have a tendency to
12 stay for three years?

13 MR. TWITCHELL: Well, most of the
14 opportunities there are associated along the
15 road corridor, either the railroad or the
16 Parks Highway or associations with the park
17 itself in terms of recreational development,
18 RVs, campgrounds facilities, that sort of
19 thing.

20 MR. LOHSE: Any other questions
21 for Hollis on this?

22 Now, when you say they would like
23 us to consider this, is that considered at
24 this meeting or is this something to be
25 brought on our agenda in the future or --

MR. TWITCHELL: Well, they had
requested that this response or any comments
be advanced to them by their next meeting in
February, by the end of February. So, they
want to revisit this in their meeting which
will probably occur in that first week of
March and respond to public comments.

MR. LOHSE: Okay. So, we would
almost have to take action on it now, new
business or something like that in order to
be able to comment on it?

MR. TWITCHELL: I suppose if it
was in terms of a formal action by the
Council, it would. Otherwise, individual
responses or any level of comment would be
desired.

MR. LOHSE: Okay. So, we could
respond to it also as individual Council

1 members?

2 MR. TWITCHELL: That's correct.

3 MR. LOHSE: Any questions or
4 comments from the rest of the Council?

5 MR. ELVSASS: Yeah. I kind of
6 have to agree with this. I don't know if it
7 can really be done in this fashion, if you
8 can put a term limit on eligibility, but
9 this is happening all over the state. Some
10 areas more than others. The Kenai Peninsula
11 just suffered a setback on rural
12 determination because of this influx of
13 people and a lot of them are transient
14 people associated with the oil and so forth.

15 Do you think if this was adopted
16 that people that are eligible right now
17 would be dropped out of the program then?
18 Would not be eligible to hunt?

19 MR. TWITCHELL: No --

20 MR. ELVSASS: An amount of them,
21 I mean?

22 MR. TWITCHELL: Anyone who lives
23 there would continue to have their
24 eligibility. It would only apply to new
25 residents moving into the Cantwell residence
zone.

26 MR. ELVSASS: I was thinking of
27 somebody that came in last year, where would
28 they fit? Would they be grandfathered in
29 or --

30 MR. TWITCHELL: That's my
31 understanding that they would be.

32 The process that would happen on
33 this proposal since this hunting plan
34 proposal, if it ultimately gets advanced to
35 the Secretary of Interior for consideration.
36 If the Secretary concurs with it, then he
37 will direct or she would direct the National
38 Parks Service to pass a regulation -- Park
39 Service-specific regulation that would
40 establish that. That would have to go
41 through the Public Federal Register process.

1 So, it would take almost a year before this
2 would be implemented, at the least.

3 MR. ELVSASS: At the earliest?

4 MR. TWITCHELL: Yes.

5 MR. ELVSASS: Thank you.

6 MS. SWAN: Mr. Chairman?

7 MR. LOHSE: Yes.

8 MS. SWAN: Is there -- what is
9 the Cantwell residence zone? Is there an
10 established zone? What is that?

11 MR. TWITCHELL: Yes, there is
12 one. The park areas that have communities
13 adjacent to their units who have a
14 significant concentration of people who are
15 dependent on and use the park resources are
16 identified as resident zoned communities.
17 Cantwell is one of those for Denali. That
18 was identified early on in 1981 as the
19 resident zone for Denali.

20 There is a boundary associated
21 with that, three-mile radius from the Post
22 Office which takes in all the community --
23 resident community areas of Cantwell, so
24 it's anyone who lives within this geographic
25 three-mile radius from Cantwell, anyone who
26 resides in that area are eligible by virtue
27 of their permit residency in the community.

28 MS. SWAN: Thank you.

29 MR. LOHSE: Do we wish to comment
30 on this now or take this up under new
31 business?

32 MR. ELVSASS: I think that's the
33 right place.

34 MR. LOHSE: New business?

35 MR. TWITCHELL: This was advanced
36 by two members of our Commission. We have
37 two members from Cantwell, Gilbert Dimenti
38 and Vernon Carlson. It's their concerns

1 that it be advanced to the Commission body
2 as a whole and the rest of the Commission
3 voted unanimously to advance that only for
4 Cantwell. They did not feel it was
5 necessary for any other resident zone in
6 Denali.

7 MR. LOHSE: I was just wondering,
8 with Fred, if something like this could even
9 be done because I thought we had kind of --
10 that the argument of residency time and
11 stuff like that had already been argued at
12 one time, but you feel that this would be a
13 possibility?

14 MR. TWITCHELL: It would be. It
15 would need to be done through NPS-specific
16 regulations. That would be the process that
17 it would need to be advanced in rather than
18 the Federal Subsistence Program, Federal
19 Subsistence Board. It would be an
20 agency-specific regulation.

21 MR. LOHSE: Okay.
22 Thank you, Hollis, on that one.
23 Fred?

24 MR. ELVSASS: How is the support
25 for this up there? Is it pretty universal
26 for this? Are people in the area supportive
27 of this, or is it just a commission or --
28 how does it look? Say, for instance, if you
29 had a vote today for or against this idea,
30 how do you think it would go?

31 MR. TWITCHELL: I think it would
32 be fairly well supported by the community of
33 Cantwell. They've experienced a dramatic
34 increase of pressure on resources along that
35 road corridor system.

36 Denali Highway going across from
37 Cantwell to Paxson and Broad Pass are very
38 popular areas for other residents who come
39 in and hunt. As a result, Cantwell people
40 who very often hunt as much on State and
41 private lands adjacent to the park have had
42 to shift their use more and more to the park
43 areas as the competition for resources have
44 become very intense on the neighboring lands
45 which they've depended on as well.

1 And so as that use has increased
2 people arriving and hunting in a fairly
3 limited geographic area within Denali. It's
4 raised a lot of concerns to the point where
5 the park has been receiving a lot of
6 complaints from subsistence users themselves
7 which -- which is unusual.

8 We usually don't get too many
9 comments for the Park Service to have a
10 bigger presence down in the area, but in the
11 last several years that indeed has become
12 the case.

13 MR. ELVSASS: Okay. Thank you.

14 MR. TWITCHELL: Should I go on
15 with these other issues and you'll get back
16 to this?

17 MR. LOHSE: Sure. We'll get back
18 to this one on new business.

19 MR. TWITCHELL: The next page
20 does not take any action on your part now.
21 Last year in the regulatory cycle on an
22 oversight on my part, I didn't bring this
23 proposal to the SRC as I described in the
24 last meeting. It was picked up in our April
25 30th meeting. This just represents the
26 Commission's opinion regarding that
27 customary and traditional use determination
28 for Kenai residents up into the Denali
29 Preserve area.

30 So, their motion passed, was to
31 the best of their knowledge. They were not
32 aware of any customary and traditional uses
33 up in Denali National Park in the upper
34 Ahtna drainage by residents of Kenai
35 Peninsula. They go on to say that if there
36 was such a use by individuals or families,
37 it would be more appropriate for them to
38 apply for an individual customary and
39 traditional use determination for those
40 parklands rather than opening up all of
41 Kenai as a traditional user. That was their
42 position.

43 MR. LOHSE: Since the Kenai rural
44 determination, this one here doesn't really

1 apply anymore, does it?

2 MR. TWITCHELL: No, it doesn't.
It should take no action.

3 On page 3, one of the main
4 reasons for their April 30th meeting was to
5 discuss a planning process that the park has
6 initiated which is called a "Back Country
7 Management Plan." And this plan looks
specifically at recreational use, and what
types of opportunities and what levels of
uses would be appropriate for the back
country area of Denali.

8 And the park planner came and
9 presented it to the Commission. The
Commission had a number of concerns as the
Parks Service looks at recreational use and
increasing recreational use in the area, and
they passed two motions in response to that.

10 And the first one was -- keep in
11 mind that subsistence management is more or
12 less guided by a subsistence management plan
itself for the park. We brought it around
to you a couple of years ago. So, right
13 now, they're talking just about the
14 recreational use and how that might impact
15 subsistence. And they want to remind the
16 park that priority should be given to
17 traditional subsistence use before
18 permitting new recreational uses. They urge
the Park Service to look carefully at what
types of recreational use, what levels of
use and where it's occurring and to make
sure there are no impacts to resources or
subsistence use opportunities.

19 They remind us that the Alaska
20 National Inter-conservation Act should be
the primary goal and Congress there declared
that consistent with sound management
principles and the conservation of healthy
21 populations of fish & wildlife the
22 utilization of public lands in Alaska is to
23 cause the least adverse impact possible on
rural residents who depend upon subsistence
uses of their resources of such lands.

24 They go on to talk specifically
25 about an impact occurring locally to the
Cantwell area in the Windy Creek and Bull
River area, primarily associated with
increasing recreational snow machining use

1 and they refer to these particular areas of
2 Windy Creek and Bull River, which are
3 drainages right adjacent to Cantwell that
4 they should be designated primarily for
5 traditional subsistence use.

6 They recommend that a category be
7 established which is known as a "natural
8 area classification" rather than the "back
9 country area classification," and that would
10 be to limit recreational use conflicts with
11 traditional subsistence use.

12 And just as a quick reference,
13 those two different categories are described
14 in the draft plan, and the natural area
15 provides for wilderness recreation with many
16 opportunities for solitude, motorized access
17 for subsistence, and other traditional
18 activities, some airplane landings for
19 overnight access and an encounter rate of up
20 to three parties per week. That would be
21 what they recommend for those traditional
22 subsistence use areas. And that is compared
23 to the back country area zone which calls
24 for opportunities for back country
25 experiences for a range of users, motorized
access for subsistence and other traditional
activities, overnight acts, scenic landings
for airplanes, and day-use by snow machines
and an encounter rate of up to ten parties a
day. They were concerned that this
encounter rate of up to 10 parties a day for
trappers in those drainages is not a good
situation, so they requested that that area
be limited to no more than three encounters
at the most by recreational users.

That has come about because about
three years ago the SRC responded to the
fact that furbearers in the Cantwell area
are being displaced by recreational snow
machining in midwinter, thereby causing the
local trappers to essentially pull their
traps in midwinter since the furbearers are
no longer in that region.

So, that was the two motions
passed by the Commission regarding that back
country use.

MR. LOHSE: Is that three
encounters per day?

1 MR. TWITCHELL: Yes.

2 MR. LOHSE: If I was trapping, if
3 I had three encounters per season, I would
4 consider it to be successful.

5 MR. TWITCHELL: That would be
6 a -- this back country plan is out for
7 public review and comment. If you have
8 concerns about that, I would welcome them.
9 It's pretty amazing the level of
10 recreational snow machine use going on in
11 Broad Pass now. It's very amazing.

12 MR. LOHSE: We drove up through
13 that area last winter. It was on a snowy
14 spring day -- just to go look, and I
15 couldn't believe it.

16 MR. TWITCHELL: Well, the SRC has
17 some really valid concerns about stress on
18 moose populations that tends to congregate
19 right up in those drainages in the Alaska
20 Range because the wind and the lower snow
21 depths and stressed animals are right on the
22 edges of where this high snow machine
23 activity is occurring. They're concerned
24 about ptarmigan breeding in April where
25 there's so much snow that people are able to
26 snow machine into April in 13. In Unit 13,
27 they were concerned about nesting in that
28 high alpine zone where all the snow
29 machining is going on and what impacts might
30 be associated with it. The obvious thing of
31 furbearers being displaced out in winter are
32 the three big concerns.

33 MR. LOHSE: Now, how big of an
34 area does that extend from? I know -- we
35 didn't get into the Park itself last winter,
36 but we were up in the Paxson/Black Rabbits
37 area. I mean, it was just snow machines and
38 every ridge had snow machine tracks on them
39 as far as we could see.

40 MR. TWITCHELL: It's a new type
41 of riding. I call it saturation riding
42 where people go up and do high-marking and
43 climbing and they go into basins and
44 basically snow machine the whole basin,

1 unlike traveling through an area where
2 you're just there for a relatively short
3 period of time. These people are in the
4 basins for hours. They move from one basin
5 to another to find fresh snow and as a
6 result the area just gets saturated with use
7 as the evolving changing recreational
8 pattern of snow machining going on in the
9 high country of the Alaska Range is very
10 popular for that. People from Fairbanks
11 coming down; Anchorage coming up, and all
12 the communities in between.

13 MR. LOHSE: That's what we
14 noticed. It wasn't like anybody was going
15 anyplace. They were just seeing how many
16 tracks they could make.

17 MR. TWITCHELL: Instead of
18 parties of one or two or three people
19 passing through the country, group ridings
20 of 15, 20 or more riders are involved in
21 these groups. So it's quite changed from
22 what it was even ten years ago.

23 The next item was just to bring
24 to your attention that we have a proposal in
25 to develop a science and learning center at
Denali. The old Park Hotel, this is the
last year of operations and that facility
will be evolved into what we hope to be a
science and learning center which will be
focused right there at the entrance of the
park area, will represent a multiple park,
representing most of the Arctic parks of
Bering Land Bridge, Noatak -- and including
Wrangell's and Denali, and the idea there is
to not only have this as a science center
where scientists can come and have an
opportunity to work and facilities to stay,
but also an educational aspect, an
environmental center as well as a science
center.

26 And the interest there is not
27 only in biological resources, but also for
28 social sciences so there will be a
29 significant focus on traditional-type uses,
30 traditional knowledge aspects and social
31 science will be focused there as well.

32 The SRC -- to have a chance to
33 discuss as a group, Florence Collins, the

1 Chair of the SRC, reviewed the proposal and
2 she formulated this particular letter
3 representing her views towards the science
4 center.

5 The rest of the Commission has
6 not had an opportunity to review the
7 proposal. So, just note that this is not a
8 motion carried by the full Commission, but
9 represents the Chair's position towards the
10 science center.

11 The Commission will discuss that
12 fully at their next meeting.

13 That is all I have for Denali.

14 MR. LOHSE: Hollis, to go back to
15 what we were talking about before between
16 this back country and natural designations,
17 how in these areas that have this high
18 saturation snow machining going on that are
19 also areas that are used for subsistence,
20 how would the park -- how would the park go
21 about regulating that kind of snow machine
22 use? How -- you know, what -- what can be
23 done to protect those nesting grounds and
24 wintering grounds from that kind of
25 activity?

MR. TWITCHELL: Well, the process
that the plan involves going through is
these different zones, these different
management zones which would target
different levels of use in the area. So, if
the plan then identifies that this should be
a natural use area, traditional uses,
subsistence should be the highest value in
purposes that we should manage for there.
Then there would be some sort of level of
people allowed to enter.

For instance, there may be --
I'll just pick a number, 15 people allowed
to go into that particular geographic area
of recreational users. So, there would be
some sort of entrance program much like you
would enter the park, rural corridor, and
then after that level of people are
authorized in, then there wouldn't be any
others.

So, it would have to go to some
sort of management regime like that.

1 MR. LOHSE: But I was thinking
2 that people that go into those areas aren't
3 going -- they're not coming through road
4 corridors or any individual entry place,
5 they're coming just off the mountains and up
6 the creeks and up the valleys from all over,
7 you know, on the snow machines, so that it
8 would be pretty hard to either issue permits
9 or entry passes or something like that for
10 something that has no definitive point.

11 MR. TWITCHELL: It would involve
12 certainly a lot of public education aspects.
13 It would also involve a greater presence of
14 park rangers down there in the wintertime.
15 There are some key access points. The
16 pullouts that are positioned along the
17 rural -- the road, particularly in the Broad
18 Pass area are the key places where people
19 with the RVs and the snow machine trailers
20 pull in and camp and then go out for either
21 weekends or up to a week at a time up into
22 the areas.

23 So we would need some sort of
24 presence of the Park Service having public
25 contact down there.

26 MR. LOHSE: Thank you.
27 Any other questions for Hollis?

28 MR. TWITCHELL: Thank you.

29 MR. LOHSE: Just one more
30 question for you.

31 Has the Parks Service geologists
32 instituted any kind of studies on impact on
33 the ptarmigan or anything like that?

34 MR. TWITCHELL: Not on the
35 ptarmigan or even the furbearers, most of
36 our information comes from the local users
37 themselves, the harvest records and their
38 own testimony.

39 Moose are periodically surveyed
40 in that area, trend counts. We've not gone
41 into any detailed population-type surveys,
42 but we rely not only on reconnaissance
43 flights, but also on the State of Alaska
44 data. The Broad Pass area is one of the
45 State's trend areas as well. Information on
46 moose and caribou more or less come from

1 State monitoring of trend areas.

2 MR. LOHSE: One last question.
3 If I understand correctly, when the Parks
4 Service restricts motorized access in the
5 preserve, that applies to recreational users
6 but does not apply to subsistence users?
7 Like they have a restriction on four-wheel
8 or snow machine access, a person going in
9 for subsistence uses can still go where a
10 person going in for recreational uses can't;
11 is that correct?

12 MR. TWITCHELL: That is correct,
13 for traditional subsistence use. And
14 Cantwell individuals may -- and other
15 Commission members made a point saying that
16 even local Cantwell subsistence users when
17 they're not out there carrying a rifle, if
18 they're traveling through that country,
19 there is a purpose for their travel through
20 that country, and that is to observe where
21 the wildlife are, where the tracks are, and
22 all that information is being processed as
23 part of their subsistence activities. So
24 even though they may be traveling through
25 the area without a rifle or an intent to
26 harvest, there is a need that traditional
27 use of going through to learn the resource
28 and what's happening on it.

29 MR. LOHSE: Even restricted
30 motorized areas are accessible to
31 subsistence users for resident-zoned
32 communities for the purpose of observation,
33 hunting, trapping, fishing, things like
34 that?

35 MR. TWITCHELL: That's correct.

36 MR. LOHSE: Thank you.
37 Any other questions for Hollis?
38 Maybe we'll go on to our -- back
39 to our agenda now that we have our full
40 Council here -- I don't think we need a
41 break at this time yet; we're all still
42 going.

43 So, the first thing we're on is
44 the call for proposals to change Federal
45 subsistence wildlife and that's basically

1 just an informative thing to tell the
audience that -- and I'll ask Ann if she can
2 give me the dates when they have to be in
for wildlife regulations.

3 I've got my glasses, I could see.
Okay. Tab F.

4 Federal Subsistence Board is
accepting proposals to change Federal
5 subsistence management regulations for the
harvest of wildlife, not fish, on Federal
6 public lands in Alaska. This is the first
step in the development of the regulations
7 for the July 1, 2002 to June 30, 2003
regulatory years.

8 What regulations can be proposed?
Federal subsistence hunting and trapping
9 seasons, harvest limits, methods and means
of harvest, customary and traditional use
10 determination, individuals who live in
resident zone communities of National Parks
11 and National Monuments and people who
already hold a Section 13.44 subsistence use
12 permit may submit a proposal for an
individual C & T use determination.

13 How to submit a proposal: Refer
to the current tan-covered regulations
14 booklet, "Subsistence Management Regulations
for the Harvest of Wildlife on Federal
15 Public Lands"; complete the proposal form
found on the other side of this page. If
16 you choose not to use the form, please
respond to all the questions.

17 You can call and ask for help.
I'm sure there's nobody in the office of
18 Subsistence Management that wouldn't be
willing to help somebody submit a proposal.
19 Ann?

20 MS. WILKINSON: Also, there are
some forms on the back table.

21 MR. LOHSE: There are also some
22 forms on the back table.

If you would like the Federal
23 Subsistence Regional Advisory Council in
your areas, attend the Council's meeting
24 this fall -- that's right now. Arrangements
can be made to have the Regional Council
25 review your proposal if you can't attend the
meeting.

1 Send the completed form by 5:00
2 p.m. on October 26, 2001, to the Federal
3 Subsistence Board. So, basically, you have
4 about 23 days left to get your proposal in
5 if you wish to change hunting or trapping
6 regulations for the years 2002-2003.

7 If you have any questions, this
8 is the easiest way. If you have a problem,
9 call 800-478-1456. And there are a lot of
10 helpful people there that will help you
11 submit a proposal.

12 The proposals can be found to see
13 how it has to be done on the table back
14 there, and if anybody has any questions at
15 this time, they can ask me. Otherwise, call
16 800-478-1456.

17 No questions, okay.

18 Now we're going on to "Customary
19 Trade," and you'll find that on Tab G -- the
20 ADF&G guy is here. We will let him speak
21 since I asked him to prepare for this
22 morning. And he's been busily digging up
23 information that I requested.

24 MR. SWANTON: And now if I can
25 find it, I'll -- some of this stuff is a
26 little bit disorganized so I apologize for
27 that. I'll just give you a brief overview
28 of what I'm able to come up with as it
29 relates to Cook Inlet, and then move on to
30 Copper River, if that's all right.

31 MR. LOHSE: That's fine, Charlie.

32 MR. SWANTON: A lot of this
33 information is preliminary as it relates to
34 the 2001 season because we are still
35 summarizing data and actually in some cases
36 still collecting data. First and foremost,
37 within Cook Inlet, the Kenai, the harvests
38 in terms of the commercial fishery for 2001
39 were 94,000 kings, 1.8 million sockeyes, and
40 109,000 coho.

41 The escapements for kings into
42 the Kenai, the escapement goal of 25,000 to
43 50,000 was met. The early run is about
44 12,000 kings in terms of the escape, the
45 late run was about 18 and a half thousand.

46 The sport harvest was 3,000 for
47 the early run and 16,000 for the late run.

1 Sockeye harvest averages about
2 120,000.

3 So, overall, for the Kenai, the
4 sockeye, they made the goals, but only after
5 restrictions. This is the late-run sockeye
6 to both the commercial and sport. And
7 typically, the late-run sockeye is the
8 larger of the two. The early run is not
9 commercially exploited.

10 Moving over to the Kasilof, the
11 escapement goal is 300 -- the escapement
12 goal is 150 to 250,000. Escapements into
13 the Kasilof were about 300,000, preliminary,
14 and the average sports harvest in the
15 Kasilof is about 3,000 sockeye.

16 For the Russian River, both the
17 early and late-run goals were exceeded and
18 there were no restrictions to either the --
19 to the sport fishery, and the average sport
20 harvest is about 50,000.

21 Generally, for coho in Cook
22 Inlet, the 2000 run was above average, and
23 it was strong in 2000.

24 And escapement goals for coho
25 because of the nature of their life history
26 and run timing being late were not well
27 established for Cook Inlet and escapement
28 goals that we do have are somewhat hit and
29 miss, I guess.

30 But the management of coho at
31 Cook Inlet is generally considered to be
32 conservative.

33 Now, winging it because I can't
34 seem to find the stuff that I'm primarily --

35 MR. LOHSE: Was this 2001?

36 MR. SWANTON: Most of the data I
37 gave you was 2001 data. Where the 2001 data
38 was general, I gave a general gist.

39 MR. LOHSE: From this it seems
40 like escapement goals were met on all
41 systems.

42 MR. SWANTON: I think generally,
43 that is probably a correct general
44 statement, yeah.

45 Any questions with Cook Inlet?

1 MR. ELVSASS: How was the
2 Crescent River run this year? Was it up to
3 par or did you meet the goals there?

4 MR. SWANTON: Mr. Chairman, Fred,
5 I -- that was one of the ones that my phone
6 was cutting out, so I wasn't able to get the
7 full detail. So the Crescent, I don't have
8 the answer to that one. Sorry.

9 MR. ELVSASS: It seems to me
10 there was an early surge of fish and it just
11 kind of faded out as I recall, and I didn't
12 know if they met the goals or not.
13 Thank you.

14 MR. SWANTON: Mr. Chairman, Fred,
15 I can certainly get that information for you
16 and give it to you before the end of the day
17 if that would be okay.

18 MR. ELVSASS: Great.

19 MR. SWANTON: Now moving on to
20 the Copper River, and I had it all prepared,
21 but I can't seem to find the paper so I
22 won't waste the time and I'll try to wing it
23 off the top of my head, see how good my mind
24 is. Starting on the lower river, the
25 commercial in 2001 was approximately 40,000
26 king salmon, 1.3 million sockeye salmon, and
27 approximately 240,000 cohos.

28 I believe for the entire Prince
29 William Sound common property in 2001, it
30 was about 41,000 king salmon; it was about
31 2.2 million sockeye salmon; and it was about
32 440,000 cohos. And for what it's worth,
33 about 22 million pinks.

34 The Miles Lake sonar count in
35 2001 as of July 31st when the sonar was
36 removed, was about approximately 833,000 on
37 average because we do have adjustments made
38 to the in-river escapement goal. It's
39 approximately 750,000, but that's an
40 in-river goal, so what that goal does is
41 take into account harvest allocations by
42 district for the Upper Copper District. So
43 there's an allocation for the Chitina
44 Subdistrict. There's an allocation for the
45 Glennallen Subdistrict, and approximately,

1 those allocations are about 100 to 150,000
for the Chitina Subdistrict and
2 approximately 80,000 for the Glennallen
Subdistrict.

3 Now, again, recognizing the fact
that --

4 MR. EWAN: Mr. Chairman?

5 MR. LOHSE: Roy?

6 MR. EWAN: Could you repeat those
7 figures again?

8 MR. SWANTON: The count when the
sonar was removed, which was the 31st of
9 July, the cumulative sockeye count past
Miles Lake was 833,000 sockeye, and
10 generally the goal is about 750,000. The
in-river goal is about 750,000 sockeye.
11 Recognizing that goal fluctuates to some
extent based on hatchery production for the
12 Gulkana Hatchery in that program, so it does
fluctuate a little bit.

13 MR. LOHSE: You want the
allocation too, right now, the Chit --

14 MR. EWAN: The Chitina
15 District -- I missed the Glennallen one.

16 MR. SWANTON: If you'd like,
there's some -- in your booklet in Tab I. I
17 think it's page 4 or 5.

18 A SPEAKER: 6.

19 MR. SWANTON: Excuse me, 6.
There's information, and there is a table in
20 there that gives the allocations by
district, in terms of the escapement goal,
21 you can have it sitting in front of you.
Approximately 100 to 150,000 for the Chitina
22 Subdistrict and somewhere between -- I think
it's around 60 to 80,000 for the Glennallen
23 Subdistrict --

24 MR. EWAN: Say that again.

25 MR. SWANTON: 60 to 80.

1 MR. SWANTON: Once in a while a
blind pig finds an acorn, huh?

2 Again, the harvest for the 2001
season for these districts -- the
3 information is preliminary because of the
permit process, and so we don't have almost
4 instantaneous information as it relates to
the harvest in each one of these districts
5 because the permits are due back to the
office and then we have to catalog them and
6 we do have to do some reservations, and this
is going to be general information and it's
7 preliminary at best in terms of the numbers.
But I think you could probably be safe to
8 say that within the Chitina Subdistrict
there will probably be approximately 8,000
9 permits issued for the Chitina Subdistrict.
The harvest of sockeye is probably on the
10 order of probably 100 to 130,000 sockeye,
and the king salmon harvest is probably in
11 the order of about 3,000.

12 But, again, those are just based
on what we've cataloged from past years on
13 participation and everything else. We don't
have the 2001 data.

14 The 2000 data was about 100,000
sockeye for the Chitina Subdistrict, and
about 3,000 king salmon for the Chitina
15 Subdistrict. Moving upriver above the
bridge, approximately for 2001, there was
16 about 1100 Glennallen Subdistrict permits
issued. The harvest is probably going to be
17 somewhere in the range of about 60 to 70,000
sockeye, and probably somewhere in the order
18 of about 4- to 5,000 king salmon for 2001,
which is fairly similar to what it was in
19 2000. But there is -- I must temper that by
the fact that there has been a shift in
20 effort between Chitina Subdistrict and the
Glennallen Subdistrict; and, you know, based
21 on what we do know, it could be precipitated
by a number of different factors, some of
22 which we've already discussed here in the
past, one being the people that want to get
23 away from the crowded conditions at various
points in time at the Chitina Subdistrict.

24 The fact that the permit fee, the access
permit fee that is collected for the Chitina
25 Subdistrict went from 10 to \$25, and, you
know, there's a combination of factors and

1 variables that may attribute to being able
2 to see a shift in effort from Chitina to the
3 Glennallen Subdistrict, but the average
4 participation in the Glennallen Subdistrict
5 is probably on the average of somewhere
6 between, you know, 950 -- I think I said the
7 average the last five years is around 1,000
8 permits, and the harvest has been relatively
9 stable.

10 Now, moving on to the chinook
11 salmon escapement which Matt Everson,
12 yesterday, talked about the program we had
13 in the past in terms of Cook -- the radio
14 tagging that the department has conducted
15 since 1999. Again, the 2001 data is
16 preliminary in nature, but it's probably
17 likely that the chinook season, essentially
18 the entire drainage- wide chinook escapement
19 in 2001 is very similar to what it was in
20 2000, somewhere between 28 and 30,000 king
21 salmon. Those are fish that have actually
22 escaped all of the known areas of
23 exploitation of harvest. In other words,
24 those are fish that actually we can account
25 for in the spawning tributaries. And as
part of that program, Tom Togin, flies
aerial surveys to look at general trends for
spawning escapements for about 15 tributary
streams. Unfortunately, because of the
weather conditions he had to deal with in
2001, he wasn't able to fly the surveys
during the peak of surveys which is when you
would typically find the maximum number of
fish there. Generally what he did find in
the aerial surveys is decrease of chinook
salmon escapement was average.

19 Essentially, the same thing holds
20 with regards to sockeye. The in-river goal
21 was exceeded at Miles Lake, and we also have
22 an aerial survey program that's conducted by
23 sport fish staff up in Glennallen to fly the
24 40 or so tributary streams upriver and
25 although the data is -- and the survey has
only been completed for a couple of weeks,
just a general scan of it compared in the
past years, it looks like the escapements
are average to a little bit above average
compared to the tributaries upstream.

That's all the information I
have.

1 If you have questions, I'll
entertain them.

2 MR. LOHSE: Thank you, Charlie.

3 Basically, it sounds like there wasn't
4 anything -- escapement, we came up to
average to a little bit above average to
5 above average escapement.

6 MR. SWANTON: That's probably
correct. I think you can probably state
7 that both the chinook salmon and the sockeye
runs into the Copper River this year and
8 last year were probably less than what they
had been in recent time.

9 MR. LOHSE: Any other questions
for Charlie?

10 Then back to the Cook Inlet. I
know that you're not an expert on the Cook
11 Inlet, but back to the information -- back
to the information that you brought. In
12 comparison to what we heard yesterday
afternoon by the individual that was
13 testifying, it sounds like that basically
you've got average to above-average
14 escapement in most of the Cook Inlet streams
that you were talking about right there too.

15 MR. SWANTON: I probably would
16 recognize, again, reiterated steeped in
ignorance in regards to this issue, I would
17 say that's probably a correct assessment of
the information other than the late sockeye
18 run to the Kenai.

19 MR. LOHSE: The late sockeye run
to the Kenai was low?

20 MR. SWANTON: The escapement
21 goal, I believe, was met but it had some
restrictions both to the commercial as well
22 as the sport fisheries.

23 MR. LOHSE: But those
restrictions are called for if it's needed
24 to meet the escapement goal. Basically what
counts was: Was the escapement goal met?

25 MR. SWANTON: That is correct.

1 Fred -- I didn't see you, Roy.
2 Go ahead, Roy.

3 MR. EWAN: I'll go back to the
4 Copper River, you mentioned the number of
5 permits. I don't know how much you said,
6 but you mentioned a number. Is that an
7 increase from previous years? I'd like to
8 know how much it's increasing over the
9 years, say, over the last five years.

10 MR. SWANTON: For the Glennallen
11 Subdistrict and Chitina Subdistrict, both?

12 MR. EWAN: Yeah, you mentioned a
13 number of permits.

14 MR. SWANTON: Okay. For the --
15 I'll start with the Chitina Subdistrict
16 since that's the one that's most downstream,
17 and I will give you the last five years.
18 I'll give you -- the last five-year average
19 for the Chitina Subdistrict, number of
20 permits issued in total is 8,874; 1996 was
21 7,195; '97 was 9,086; '98 was 10,001; '99
22 was 9,943; and 2000 was 8,145.

23 MR. LOHSE: So, basically,
24 they're pretty close to the average for this
25 year, but they're down from the peak in the
Chitina Subdistrict?

MR. SWANTON: Yeah, that is
correct. The 1998 of 10,000, and 1999 of
9900 or 10,000 for all intents is the two
peak years and it seems to be down by
about -- in 2000, it was down almost 2,000
permits, and that's what I was referring to
earlier. It could be attributed to the
crowded conditions in the Chitina
Subdistrict. It allowed to move folks up
into the Glennallen Subdistrict, or it could
be attributed to the \$15 difference between
a \$10 fee or \$25 fee for access.

MR. EWAN: May I follow out that?

MR. LOHSE: Right.

MR. EWAN: Do we have information

1 of where these people come from? Fairbanks
2 or other --

3 MR. SWANTON: I can give you
4 percentages of the permits that were from
5 each area.

6 On average, 36 percent were from
7 the Copper Basin, 27 from Anchorage, 10
8 percent from Fairbanks, and 11 percent from
9 the Mat-Su Borough, and 16 percent from
10 other areas around the state. That's for
11 the Glennallen Subdistrict, that's a
12 five-year average.

13 MR. EWAN: Thank you.

14 MR. SWANTON: Now, for the
15 Chitina Subdistrict, the -- no, excuse me, I
16 already did that one.

17 Okay. For the Glennallen
18 Subdistrict, the five-year average, permits
19 issued is 1,075. That's 1996 to 2000. And
20 '97 through 2000 average number of permits
21 that have been issued is about -- it's right
22 around 1100. And in 2001, it's 950; and
23 that's a preliminary number.

24 MR. EWAN: 1950 --

25 MR. SWANTON: 950, excuse me.

MR. LOHSE: So, even in the
Glennallen District there was a drop in the
number of permits in 2001?

MR. SWANTON: It appears to be
correct.

MR. EWAN: Mr. Chairman?

MR. LOHSE: Roy?

MR. EWAN: Are these people --
are they getting the fish pretty much on
average? Are there some that are not
getting -- they have a permit but are not
getting anything significant? You know what
I mean, they just caught one during the
whole season?

1 MR. SWANTON: Are you referring
2 to fishing within the Glennallen
3 Subdistrict?

4 MR. EWAN: I'm talking about
5 generally, are they catching fish? Are they
6 getting fish? They get permits, on average,
7 are they catching fish?

8 MR. SWANTON: I think if you do
9 some remedial math in terms of fish that are
10 harvested and the number of permits that are
11 issued, I think that, you know, if you
12 combined both, you know, the Glennallen as
13 well as the Chitina Subdistrict, that over
14 the entire areas in both permits, that the
15 average is probably around 20 fish. I mean,
16 that's both for Glennallen as well as
17 Chitina. I mean, if you took essentially
18 12,000 permits --

19 MR. EWAN: Mr. Chairman, I guess
20 what I'm getting at, this shouldn't even
21 count, because they didn't get anything in
22 my opinion. It might be 100 people that
23 only got one fish. To me that's not like
24 getting -- it's like getting none, you know.

25 MR. SWANTON: There's a wide
26 range. There's people that go down there
27 and don't -- and catch none. There's a
28 large number of people that come down and
29 catch 30. If you were looking at it in
30 terms of the average, you know, the combined
31 harvest is probably somewhere around 150 to
32 170,000 fish for both the Glennallen as well
33 as the Chitina Subdistricts. If you divide
34 that by the number of permits that have been
35 issued on average, you know, for both of
36 those districts, you're talking about
37 somewhere in the order of about 15 to 20
38 fish per permit. There are people that get
39 zero, but there's also a large number of
40 people that get what they want. Otherwise,
41 they would probably be squawking a lot more
42 severely than they have been.

43 MR. LOHSE: Charlie, I guess one
44 of the questions that I was hearing in Roy's
45 question is are there people who get permits

1 and don't fish them? Do you have -- do you
2 have any idea what percentage of the permits
aren't even fished?

3 MR. SWANTON: Yes, we do have
4 that data. Unfortunately, I don't have it
5 cataloged and sitting in front of me at this
6 time. I think you will find that may have
7 been more of the case in previous years in
8 the Chitina Subdistrict, but once people --
9 money motivates people, once you pay \$25 for
10 a permit, by golly, you're probably going to
11 use it. In the Glennallen Subdistrict, I
12 don't know -- I would say probably off the
top of my head for the Chitina Subdistrict
that there's probably on the order of maybe
1 to 2 percent of the permits that are
issued. It may be as high as 5 percent that
aren't fished at all. That data is -- we'd
have to go back into the database to get it.
There is a box on our permit within the
Chitina Subdistrict that asks that question:
Did you or did you not fish in 2000, 2001?

13 MR. LOHSE: I was just looking at
14 the numbers you gave us, and it comes out to
15 about a 12 average for the Chitina
16 Subdistrict and about an 80 average for the
17 Glennallen Subdistrict. So, the average
person in the Glennallen Subdistrict
averaged about 80 fish, and the average
person in the Chitina Subdistrict averaged
about 12 fish.
Fred?

18
19 MR. ELVSASS: Well, my question
20 is: Back on Cook Inlet -- excuse me. On
the Kenai, the escapement was met by closure
of the sport and commercial fisheries, and
we were -- heard testimony yesterday that
there's no fish in the Inlet, and I fished
and I know it was very poor here for fishing
in the Inlet. Meeting an escapement goal
didn't mean the run was an average year. It
was by closure the fish got up the river
which is supposed to be done, but there
wasn't a great surplus of fish.

21 So, I didn't want people to think
22 that there was a lot of fish in Cook Inlet.
23 Which brings up the Susitna, how did it fare

1 this year?

2 MR. SWANTON: Fred, I didn't -- I
3 just picked out the big ones. I didn't get
4 the Susitna. I can certainly get the
5 information again shortly for you in terms
6 of, you know, what the assessed run was,
7 what the department's feelings were with
8 regards to that run.

9 MR. ELVSASS: Because I know a
10 great amount of families within the
11 commercial fishery in Cook Inlet is on the
12 Kenai/Kasilof fishery. They target those
13 two runs primarily, and as a result, other
14 areas like Susitna, Crescent, McArthur,
15 they, in turn, suffer for it, but the
16 testimony yesterday about a poor run in Cook
17 Inlet was very, very close to being accurate
18 as to one of the most disastrous commercial
19 fisheries, and it was just -- there just was
20 no fish. There was enough for escapement
21 purposes and very little for commercial.
22 Thank you.

23 MR. LOHSE: Any other questions
24 of Charlie?

25 Thank you. Thank you for digging
26 that information up on the Cook Inlet for
27 us.

28 MR. SWANTON: It was a pleasure.

29 MR. LOHSE: You're as bad as I
30 am. I've knocked the microphone off twice
31 too.

32 Okay. We're going to go back to
33 our agenda. The next -- the next item -- I
34 thought I heard somebody. The next item on
35 the agenda is "Customary Trade" under Tab G.
36 If you can find -- Tab G, page 1, and we're
37 going to review the suggested reviews for
38 the proposed language. We're going to have
39 a little briefing first by Pete on this and
40 Carl Jack, I think, is going to take the
41 last part on the Tribal consultation. So,
42 Pete, we'll let you start things off.

43 MR. PROBASCO: Thank you,
44 Mr. Chairman, and good morning to the

1 Council. As Ralph directed you to, I'd like
2 you to specifically go to Tab G, and I will
3 outline the presentation that I will discuss
4 briefly with you.

5 My purpose here today is to
6 receive any comments you have on the process
7 and/or the draft regulatory language from
8 both the Task Force and the Federal
9 Subsistence Board to move as we move towards
10 the rural area. My presentation will cover
11 four areas, history wide -- the history of
12 customary trade is before you, discussion of
13 the proposed regulatory language, which is
14 in Tab G, schedule of events, time line
15 working towards a final rule. It's very
16 important that we spend some time here today
17 understanding the time frame we'll be
18 working for through the winter working
19 toward this final rule. And the importance
20 of your input as a Regional Council to the
21 Federal Subsistence Board in developing the
22 final rule or regulation.

23 We first need to establish what
24 is meant in regulatory terms when we discuss
25 customary trade. Please understand that
customary trade pertains -- in the Federal
regulations pertains only to cash sales,
money for subsistence-harvested fish. By
regulation, the act of bartering is treated
separate in Federal regulations and is not
included within the term of customary trade.
Keep that in mind, customary trade is only
dealing with money and under Federal
regulations barter is treated separate.

They're not joined together, okay?

So, in this discussion when I
address customary trade, I'm referring only
to cash sales and not the other aspect,
barter of exchanging subsistence-harvested
fish with others. It is also very important
that I emphasize that this draft regulatory
language before you only deals with the cash
sales of fish and not other wildlife
species, only dealing with fish.

Current Federal Subsistence
Management regulations specifically address
customary trade and barter. However, the
regulatory language pertaining to customary
trade or the cash sales is not specific
enough to define allowable levels.

1 Important factors are current Federal
2 regulations in defining customary trade is
3 that regulations clearly recognize and
4 allows for the cash sales of
5 subsistence-harvested fish as long as the
6 cash transaction does not constitute a
7 significant commercial enterprise.

8 That's already established in
9 regulations. Cash sales are allowed for as
10 long as they do not constitute a significant
11 commercial enterprise.

12 Unfortunately, the original
13 drafters of this language did not define the
14 parameters of what constitutes a significant
15 commercial enterprise.

16 At times, this has resulted in
17 uncertainty pertaining to what is
18 permissible on a subsistence-harvested fish
19 that is exchanged for cash, further the
20 current regulations as written are
21 unenforceable.

22 Retention of the current
23 regulatory language will invite abuse from
24 those who wish to use subsistence-harvested
25 fish for monetary gain to the detriment of
26 subsistence uses and users. If the limits
27 of cash exchange are not defined, then by
28 allowing this exchange to go unchecked could
29 potentially result in a negative impact on
30 other subsistence uses and users. This is
31 why the Federal Subsistence Board
32 established a customary trade Task Force to
33 develop draft regulatory language which
34 clearly defines customary trade as a
35 subsistence use and specifies appropriate
36 limitations.

37 A great deal of planning and
38 thought went into the formation of this Task
39 Force, and if you would reference your
40 handout you'll see the members of the Task
41 Force and your chairman, Mr. Ralph Lohse,
42 served on this Task Force and played a key
43 role in helping to develop this regulatory
44 language that's before us, this draft
45 regulatory language.

46 And if you also notice that there
47 is a member from each of the Regional
48 Councils, ten total, that the Federal
49 Subsistence Board appointed to this Task
50 Force and they felt that a very important

1 element of the Task Force is having Council
members serve on this.

2 The goal of this Task Force was
3 to develop draft regulatory language that
4 provides for the long-established practices
5 of customary trade. It's consistent with
6 the definition of subsistence uses in
7 Section 803 of ANILCA and defines the limits
8 to these cash sales. The customary trade
9 Task Force has met on three different
10 occasions. The last meeting being August
11 1st and 2nd when the draft regulatory
12 language was finalized. This draft language
13 is now before the Councils for their review
14 and comment during their fall meetings. The
15 underlying theme of the proposed language
16 was to develop language that is fair,
17 prevents abuses, meets the needs of
18 Federally qualified subsistence users, and
19 does not prevent or limit the trade or sale
20 between communities or villages.

21 In working towards a final rule,
22 there are numerous steps that must be
23 followed. This is set out by law. I would
24 like to briefly review these with you and
25 under this Tab G, I believe it's the third
page under Tab G, is a schedule of interests
provided which outline how we're going to
move through this process.

The first step which we are
currently in is a very important step in
that it provides the first opportunity for
Regional Councils, Tribal governments, and
public to directly comment on the draft
regulatory language. Council comments are
being solicited at all Council meetings.

By the 1st of November all
comments will be summarized and distributed
to Task Force members.

The Task Force will review the
comments and recommend to the staff
committee and the Federal Subsistence Board
how to address Council comments.

It's important to point out,
though, that these comments will go as
developed by your Regional Council. They
will not be added to or changed by the Task
Force.

It's important to note that this
is not your only opportunity to comment on

1 this document. You as a Council will be
2 involved throughout the process and final
3 comments or recommendations to the Board
4 will be due just prior to the Federal
5 Subsistence Board May, 2002 meeting.

6 Between November 1st and the
7 15th, the Task Force meets, considers
8 comments from the Regional Councils, Tribal
9 governments, and general public, and
10 recommends how to address the comments
11 received.

12 Prior to the Federal Subsistence
13 December, 2001 meeting, the interagency
14 staff committee will review all comments
15 received to date and will develop
16 recommendations on the draft preamble and
17 proposed regulatory language.

18 Federal Subsistence Board meeting
19 in December takes action on developing the
20 proposed rule. That's not the final rule.
21 In December they'll develop a proposed rule.

22 The proposed rule is published in
23 the Federal Register, and then again
24 Regional Councils, Tribal Governments and
25 the public will review and comment on this
proposed rule. Regional Councils will be
asked for the recommendations during their
winter meetings in February or March and
comments need to be delivered to the Federal
Subsistence Board prior to their May, 2002
meeting.

The interagency staff committee
will review comments pertaining to the
proposed rule and they will develop their
recommendations.

During the May, 2002 Federal
Subsistence Board meeting, the Board will
review all comments and recommendations from
Regional Councils, Tribal Governments,
public, and staff committee and final action
will take place, that's the goal, in May,
2002.

We are hoping that the final rule
will be in effect by midsummer, July, 2002.

Mr. Chairman, at this time, I'd
like to introduce Mr. Carl Jack, the Native
liaison for the Federal Subsistence Board;
and he will be updating you on the Tribal
consultation issues. Mr. Chair?

1 MR. LOHSE: Thank you, Pete.
2 Carl?

3 MR. JACK: Good morning. I guess
4 first to be so professional in me talking,
5 I'm not that professional to break the ice.
6 I'm also a pre-Elder, talk about beginning
7 Elders yesterday.

8 With that, Mr. Chairman, members
9 of the Council, the topic here is "Customary
10 Trade." Before I do my presentation here
11 this morning, I put on your desk a Tribal
12 Consultation Policy. What we have done
13 today on that in terms of Tribal
14 consultation and the foundation from this
15 Tribal consultation is done. Also, I passed
16 out a copy of the Cabela's catalog. That --
17 and not to fan the flames of discontent, but
18 to provide you with some information as to
19 the reasons why this issue of customary
20 trade came about.

21 That particular page was passed
22 on to the staff committee at one time citing
23 as to the reasons why the proposed
24 regulation should be tightened.

25 As you will note, in that
26 particular page, there's Yukon strips for
27 sale in Cabela's catalog, but does not say
28 whether those fish were actually caught for
29 subsistence or whether they were secured
30 through the commercial outfit.

31 On Tribal consultation, on
32 January 19th, 2001, the U.S. Fish & Wildlife
33 Service and four other Federal agencies,
34 along with the Alaska Special Assistant to
35 the Secretary of Interior signed an Alaska
36 policy on government-to-government relations
37 with Alaska Native Tribes. And that is the
38 policy that guides the office of subsistence
39 management on Tribal consultation. The
40 customary trade regulation once it's
41 adopted, will impact all Alaska Natives,
42 Tribal members, and it is for that reason
43 that the office has initiated Tribal
44 consultation specific to this customary
45 trade. We started the consultation in
46 August for the proposal that's in your book
47 along with a copy of the briefing paper.
48 The timetable was mailed to each and every
49 one of the 229 Tribes in Alaska.

1 The transmittal letter, the
comment period specified being from
2 September to October 31, 2001. Let me just
say that that October 1 does not foreclose
3 the Tribes to making Tribal -- making
comments. The Tribes can also attend the
4 Federal Subsistence Board meeting in
December and provide testimony directly to
5 the Board on this issue.

 In preparation and as a precursor
6 to Tribal consultation, and that I'm
referring to on about January when the
7 customary trade Task Force was expanded to
include ten members from the Regional
8 Councils, and subsequent to the first
meeting we provided the -- we provided
9 reports and information to the Alaska
Intertribal Council on the progress that was
10 made by the Task Force.

 In consultation with the ITC, a
11 two-phased Tribal consultation process was
conceived. First one was to mail the --
12 mail the proposed draft regulation to the
Tribes, and also if the Tribes have
13 questions, then we set -- we said that we
would make an effort to meet one on one with
14 them to answer those questions.

 And we have done this because of
15 the unique legal relationship of the Alaska
Federally recognized Tribes with the United
16 States Government, where they can be able to
deal with the government one on one on the
17 issues that will impact their Tribes.

 In addition, as Pete stated
18 earlier, consistent with the -- with the
requirements of the Administrative
19 Procedures Act, a proposed rule after it's
published, the public and the Tribes will be
20 provided another opportunity to make
comments before the final rule is adopted by
21 the Federal Subsistence Board.

 In conclusion, the office of
22 subsistence management is committed to
consultation with Alaska Federally
23 recognized Tribes in accordance with the
executive orders of policy that guide the
24 service.

 Consultation on the customary
25 trade issue and the draft regulation
developed by the Task Force will occur as

1 stated above, and the final rule will not be
2 adopted until review and consultation
3 opportunities are provided to all of the
4 Tribal governments in Alaska.

5 Mr. Chairman, that concludes my
6 presentation.

7 MR. LOHSE: Thank you, Carl.
8 Does anybody here have any
9 questions for Carl?

10 MR. LOHSE: I think you were
11 pretty thorough.

12 MR. PROBASCO: Just one.

13 MR. LOHSE: Pete?

14 MR. PROBASCO: Mr. Chair, just
15 one little -- and then I'll be wrapped up
16 too. I would like you to focus your
17 attention to page 3 of Tab G, just to help
18 you to understand how this regulatory
19 language is laid out through your
20 discussions. You can focus on whatever part
21 you'd like to comment on.

22 Looking at page 3, you will see
23 that the regulation is broken out under
24 "Customary Trade Between Rural Residents,"
25 "Customary Trade Between Rural Residents and
26 Others," and on the last page, page 4,
27 "Purchase by Fishery Businesses."

28 The first part of the regulation
29 dealing with customary trade between rural
30 residents, the language deals with the cash
31 sales of subsistence-harvested fish between
32 rural residents, and in summary, the Task
33 Force is recommending that no limits on cash
34 sales between rural residents be
35 established.

36 In other words, there's no cap
37 from one rural resident to another rural
38 resident.

39 The second part of the regulatory
40 language deals with cash sales to others.
41 In other words, nonrural residents, and this
42 is where -- and I'm sure a lot of you heard
43 the discussions already, is where a cap is
44 being recommended for salmon only, and right
45 now the Task Force is recommending a

1 statewide cap. However, you'll notice that
2 in parentheses, there, we are also
3 recommending, if the Councils feel
4 appropriate, to submit proposed monetary
5 caps for their areas.

6 But this section deals with sale
7 of subsistence-harvested fish for cash to
8 others, nonrural residents.

9 The last part of the regulation
10 deals with the sale or prohibits the sale of
11 subsistence-harvested fish to commercial
12 fishery businesses. In other words,
13 processors -- anybody licensed under the
14 State of Alaska, as a fisheries business, a
15 subsistence -- a rural subsistence user
16 could not sell fish to them for cash.

17 Mr. Chair?

18 MR. LOHSE: Thank you, Pete. I
19 think you summarized pretty clearly.

20 Basically, I guess we just need to as a
21 Council go over each section and have our
22 comments on it, and if there's anything that
23 we want to change, then what you would like
24 for us to do as a Council is to submit them
25 to the Task Force, right?

MR. PROBASCO: Mr. Chair, that's
correct in part, but also those comments
will be forwarded to the -- forwarded to the
staff committee as well as the Subsistence
Board. The staff committee would like to
review the comments so we may be able to
establish more recommendations as a Task
Force to the Federal Subsistence Board. The
Task Force is an appointed committee, if you
will, and our work isn't completed until the
Federal Subsistence Board tells us it's
completed and we've been asked to review the
comments and provide, based on those
comments, any further recommendations.

Mr. Chair?

MR. LOHSE: Ann, you told us --

MS. WILKINSON: I was going to
suggest that this might be an appropriate
time for a short break.

MR. LOHSE: I think this might be

1 an appropriate time for a short break.

2 MR. ELVSASS: One question. On
the issue of selling the salmon roe, you can
3 sell it to a buyer, a fisheries business
buyer which -- the fish plants and so forth
4 are the buyers of fish roe. Now, as I
understand on the Yukon, there's quite a few
5 people that make their cash income by
selling the roe from the subsistence fish,
6 and in reading this, they couldn't do it
directly, but now if they sold it to another
7 party locally, rural resident, could that
person sell it to the buyer? You see what
8 I'm saying?

9 MR. PROBASCO: Mr. Chair, yes,
Fred, I do understand. Years back at one
10 time, it was legal for subsistence users to
sell roe, however that is no longer the
11 practice. It is illegal under State law for
subsistence-harvested fish to be sold. So
12 that cannot take place. Only if a
commercial season is open on the Yukon.
13 Those fish have to be sold like any other
commercial fish in its entirety to the
14 buyer, and the buyer can do whatever he
wants to do with the roe of the product.
15 That's not allowed.

16 MR. ELVSASS: So, in other words,
then the buyers have to buy it with an empty
17 card, commercial license?

18 MR. PROBASCO: That's correct.

19 MR. ELVSASS: Thank you.

20 MR. LOHSE: Pete, if I can
clarify something on that. That isn't even
21 something that was proposed by the Task
Force. That's State law. By State law
22 somebody with a commercial fisheries
business license cannot receive for trade or
23 barter any subsistence-caught fish or
product. So it's -- in other words, if a
24 commercial operation takes
subsistence-caught fish, they're in
25 violation of their license, to lose their
license.

1 Roy?

2 MR. EWAN: Mr. Chairman, I just
3 want to get the two people -- I've been out
4 of the loop for a while. I missed several
5 meetings, and I had a lot of interest in
6 this particular area, customary trade and
7 how it's going to be implemented under the
8 rules and regulations that we're talking
9 about.

10 I'm wondering about people that,
11 say, come from other states and come to
12 Alaska and live out in rural Alaska for a
13 little while, they're qualified to do this
14 also that you're mentioning, even though
15 they have not done this customarily and all
16 that?

17 MR. PROBASCO: Mr. Chair, Roy, if
18 an individual moves from wherever and moves
19 into a rural community and once he
20 establishes that he's a rural resident, yes,
21 he would be legally allowed to do this, but
22 he would first have to establish and be --
23 meet the requirements as a rural resident.
24 Mr. Chair?

25 MR. LOHSE: Thank you, Pete.
26 With that, if there's no further
27 questions for Pete, we'll take a break and
28 discuss this as a Council after the break.
29 Ten minutes.

30 (Break.)

31 MR. LOHSE: With that, I'd like
32 to call the meeting of the Southcentral
33 Regional Advisory Subsistence Council back
34 in session.

35 We're going on looking at draft
36 regulatory language for the customary
37 trade -- just customary trade, not customary
38 trade and barter.

39 At this time, I'd like to -- I
40 was going to ask if there's any public
41 comment. I have one public comment right
42 here. I was going to give the public the
43 opportunity to testify before we got
44 started. Before we got into discussion, if
45 that's okay with you.

46 Was there any other public that

1 wished to comment?

2 I've got one -- all I've got is

3 Gloria here right now.

4 Okay.

5 Gloria?

6 MS. STICKWAN: Gloria Stickwan,
7 Copper Native Services, with the Ahtna
8 Village Corporation. We agreed on the
9 definition, the making and selling of
10 handicraft articles made out of edible and
11 nonedible by-products of fish and includes
12 all Federal and public lands, parks,
13 monuments and preserves for subsistence uses
14 are permitted and where cash is exchanged
15 between residents.

16 We didn't include an amount in
17 our definition, and we didn't -- did not
18 specify urban or rural. We just left it
19 residents.

20 MR. LOHSE: Okay, would you
21 repeat that, please?

22 MS. STICKWAN: The making and
23 selling of handicraft articles made out of
24 edible and non- edible by-products of fish
25 and includes all Federal public lands,
parks, monuments and preserves where
subsistence uses are permitted and where
cash is exchanged between residents.

And then I also had a definition
for plants and wildlife resources and
minerals, because I included that, I just
said the definition of what is edible and
nonedible should be undetermined -- should
be determined by the local rural residents.
The specific determination as to what is
edible and non- edible.

MR. LOHSE: Thank you.

Any questions for Gloria?

Gloria, have you had a chance to
review what the Task Force came up with
right here at -- the draft language that's
here, remembering that the Task Force was
just assigned to fish at this point in time?

MS. STICKWAN: Yes.

1 MR. LOHSE: Did you have a chance
2 to review this?

3 MS. STICKWAN: Yes, we changed it
4 a little bit. The only difference is we
5 didn't want to have rural residents in
6 there. We just said "residents," between
7 residents. That's a definition for the
8 difference between ours and theirs. They
9 had rural residents in theirs, and the other
10 definition they had a cash amount. We left
11 that out.

12 MR. LOHSE: Okay. So you took
13 out, basically, on the first section, then,
14 you just said between residents, not rural
15 residents?

16 MS. STICKWAN: Yes, yes.

17 MR. LOHSE: Okay. I know in the
18 discussion it was over whether that should
19 be rural or Federally qualified residents at
20 one time. That was a big part of
21 discussion.

22 And then where it came down here
23 in the trade between residents -- rural
24 residents and others, you left out the cash
25 amount on the salmon?

26 MS. STICKWAN: Yes.

27 MR. LOHSE: Okay. I was thinking
28 back to when we first had a discussion on
29 this where when we -- you had a discussion
30 and you mentioned what we didn't want to do
31 was we didn't want to leave it open enough
32 that we couldn't attract what Roy was
33 talking about, the fact that anybody that
34 wanted to move in can set up a business and
35 sell salmon.

36 MS. STICKWAN: Yeah. We
37 considered and thought --

38 MR. LOHSE: And have competition
39 that way.

40 MS. STICKWAN: Yeah, it's just
41 that we decided to take it out because we

1 couldn't come up with a figure.

2 MR. LOHSE: Just couldn't come up
3 with a figure?

4 MS. STICKWAN: No.

5 MR. LOHSE: That was the same
6 problem the Task Force had was trying to
7 come up with a figure that would meet the
8 needs and at the same time not attract
9 attention.

10 MS. STICKWAN: My own suggestion
11 just by representing myself, I think there
12 should be a permit in place, where, you
13 know, to have it -- NPS to have concessions,
14 they sell permits to -- or they give permits
15 to concessions, concessionaires, on NPS
16 public lands. These are businesses that,
17 you know, have vendors out there. I think
18 they could do the same thing through this
19 and to put out permits and that way monitor,
20 you know, through the permits. They can
21 have a report or whatever at the end of this
22 business here as to -- they can just
23 distribute the permits.

24 MR. LOHSE: That was discussing
25 also, the main thing, a loss of the people
26 there were interested in was the fact that
27 they didn't want to have anything that would
28 interfere with the trade that went on at the
29 AFN conventions and things like that.

30 MS. STICKWAN: A permit from the
31 whole year.

32 MR. LOHSE: From the whole year.
33 So, a permit with your
34 subsistence fishery permit, basically, where
35 you would put on it how much you sold?

36 MS. STICKWAN: You could keep
37 track of it, Federal agency would be able to
38 keep track of how much has been sold.

39 And I think there should be one
40 definition and not two different
41 definitions, like NPS has a definition in
42 their regulations book and then there's
43 another definition. Like there should just

1 be one definition for everybody.

2 MR. LOHSE: Now, these aren't
3 definitions here.

4 MS. STICKWAN: No, I got my
5 definition from both NPS -- I looked at NPS
6 what they had in their regulations and then
7 I looked at the brown booklet.

8 MR. LOHSE: Any other questions
9 for Gloria?

10 Okay. One more chance for other
11 public testimony?

12 We don't have any. Okay, Pete,
13 Carl, you can come back up to the table.

14 MR. LOHSE: Pete, I'm going to
15 ask you a question. What is our definition
16 at this point in time as it applies to what
17 customary trade and barter of fish is? Do
18 we have a definition on that?

19 MR. PROBASCO: Yes, Mr. Chair,
20 there is a definition on both customary
21 trade that pertains to cash which I
22 discussed earlier in my presentation, and
23 then barter is treated separately, and there
24 is a definition in the Federal regs. I
25 don't have the exact wording, I apologize.
There are two separate definitions for
customary trade and barter.

MR. LOHSE: Let's open this up to
Council members. We can do this a number of
ways. We can open this up for discussion,
do it one section at a time.

Roy?

MR. EWAN: Mr. Chairman, I just
wanted to talk about the last -- the person
mentioned -- the difference between trade
and barter. Could you give me an idea of
what you're talking about here? One, you
have explained what the trade is, the other
is --

MR. PROBASCO: Mr. Chair, Roy,
the Task Force wrestled with that for a
while, and I think it took us a full day

1 before we all got it clear in our mind what
the difference is, and I think it's real
2 important to keep in mind that this language
was drafted down in Washington, D.C. and
3 didn't -- I don't think it recognized that
when we say customary trade in Alaska, we're
4 discussing both cash sales and barter.

However, when they developed the
5 regulations, they separated it, and so the
way I keep it clear in my mind is I separate
6 both of them and I say customary trade only
identifies an exchange of a
7 subsistence-harvested fish for money. And
then barter is everything else. And that's
8 the only way I can keep -- if I start
thinking customary trade like we normally
9 think about it, that's where you get
confused. In the Federal terms, customary
10 trade is only dealing with money, and barter
deals with all other aspects.

11 MR. EWAN: Thank you.

12 MR. PROBASCO: Mr. Chair, Taylor
13 pointed out to me that the definitions are
in our handy-dandy there, a definition of
14 barter and definition of customary trade
right here for quick reference. Thank you.

15 MR. LOHSE: Could you read those
16 to us, Pete, for right now?

17 MR. PROBASCO: Okay. Customary
trade means cash sales of fish or wildlife
18 resources not otherwise prohibited by
Federal law or personal needs. Customary
19 trade does not include a trade that
constitutes a significant commercial
20 interest price.

Barter means a limited
21 noncommercial exchange of fish or shellfish
or their parts taken for subsistence uses
22 for other fish or shellfish or their parts.
Barter can also mean exchange of
23 subsistence-taken fish or shellfish for
wildlife, other food, or for nonedible items
24 other than money.

Mr. Chair?

25 MR. LOHSE: Thank you, Pete.

1 Okay. At this point, on this one
2 here, we're dealing only with customary
3 trade. The barter is unlimited.

4 Barter means if you want to trade
5 fish for moose meat or birch bark baskets or
6 whatever, that's unlimited by Federal law.
7 Pete?

8 MR. PROBASCO: That is incorrect.
9 The only place in these regulations that we
10 discuss barter is when we deal with fishery
11 businesses. What the Task Force was looking
12 at there is to try to prevent a loophole
13 where a fishery business would say, "You
14 give me a thousand pounds of fish, I'll give
15 you an elk for it." Barter in these
16 regulations only deals with commercial
17 businesses.

18 MR. EWAN: Mr. Chair?

19 MR. LOHSE: Yes, Roy.

20 MR. EWAN: People have already
21 mentioned that. I know you're probably
22 going to get into that. One question I
23 have: It used to be very popular -- first
24 thing anybody wanted to know when they came
25 to the villages, do they have caribou
26 antler. Is that allowable?

27 MR. PROBASCO: Mr. Chair, thanks,
28 Roy, for the question. Keep in mind that
29 this regulation only pertains to fish.
30 There are specific regulations that deal
31 with wildlife --

32 MR. EWAN: The by-product that
33 Gloria is talking about?

34 MR. PROBASCO: Wildlife, that
35 would still be allowed to occur. This is
36 dealing only with fish.
37 Mr. Chair?

38 MS. SWAN: Mr. Chairman -- now,
39 does this customary trade and barter only --
40 when you say "only" is it you're to do only
41 customary trade or barter with
42 subsistence-caught fish? Is that -- is

1 that -- am I interpreting that correctly or
2 what?

3 MR. PROBASCO: Mr. Chair, Clare,
4 that is clear. This is only over authority
5 with subsistence-harvested fish, no other
6 commercial, sport, anything.

7 MR. LOHSE: Yeah. Pete, I think
8 that was a good clarification. This does
9 not apply to fish that were taken with a
10 commercial license. This does not legalize
11 fish taken under a sport license being
12 traded or bartered either.
13 Roy?

14 MR. EWAN: Mr. Chairman, I don't
15 know who can answer this. Maybe this is a
16 wrong time. Do you see an increase in
17 subsistence fishing because of these new
18 trade and barter regulations?

19 Seems to me, I do. Seems to me
20 that I would see a significant increase in
21 the number of fish taken and so forth.

22 MR. PROBASCO: Mr. Chair, Roy,
23 there is -- I share that concern with you as
24 well. It seems like the general public,
25 when you put in a regulation, they see an
26 amount. It's sort of like a limit. You
27 think you've got to fish up to that limit or
28 you've got to sell up to that much money.
29 However, we can't ignore the fact
30 that the regulations already establish cash
31 sales. So, the ball's back in our court in
32 trying to keep the cash sales at a level
33 that recognizes what traditionally has taken
34 place and prevent abuse.

35 I would say, Roy, that the risk
36 of not trying to define that with the
37 current regulations where there is no
38 definition would -- once people are aware of
39 more of the Federal system and the Federal
40 regulations would invite more abuse versus
41 what we're trying to do here, trying to
42 define it and, if you will, lack of a better
43 term, put a cap on it that will safeguard
44 other subsistence uses as well.

45 Mr. Chair?

1 MR. LOHSE: Thank you, Pete.
2 Roy, that was the biggest thing that we
3 wrestled with when we were working as a Task
4 Force on it is how to allow what's going on
5 without -- without producing an incentive
6 for a lot of people to jump in and take a
7 lot of fish and compete with the current
8 subsistence users because there's all of a
9 sudden a monetary goal in mind. And that
10 was the biggest reason that finally from a
11 lot of areas that had a lot of people, the
12 idea of a cap came up because what we can
13 see happening, like you said before, any
14 rural resident can do this, and so all of a
15 sudden, the incentive is for any rural
16 resident to try and catch more fish, or to
17 move and become a rural resident so you can
18 catch more fish and sell them.

19 So, that was the whole idea
20 behind the reason that we argued for a long
21 time over cap, the size of cap, and whether
22 we needed a cap. And areas that had more
23 people thought that a cap was needed. Areas
24 that didn't have so many people where
25 there's no salmon, didn't think a cap was
26 needed.

27 So, that was one of the -- that
28 was one of the biggest things that we spent
29 the most time on because everybody wants to
30 allow what's going on, but not attract a lot
31 of competition or a lot of -- a lot of new
32 people doing it simply to make the money.

33 MR. EWAN: Mr. Chairman, can I
34 make a comment?

35 I think that it's going to -- in
36 the long run, I guess, affect the real needs
37 of the rural subsistence user, in my
38 opinion, this particular barter and trade
39 regulation, because I think it's going to
40 increase the number of take for -- of
41 salmon. I'm really concerned because I know
42 in some rural communities that people are
43 not really business-oriented. You know,
44 you're going to compete with people -- who
45 you know knows how to sell products, and
46 that kind of bothers me.

47 MS. SWAN: Mr. Chair?

1 MR. LOHSE: Yes.

2 MS. SWAN: I know we're
3 discussing subsistence here, but I am
4 compelled -- compelled to ask this and if
it's inappropriate please tell me to shut
up.

5 MR. LOHSE: Nothing is
6 inappropriate.

MS. SWAN: In the end this all
7 has to do with salmon and conservation and
et cetera and so forth, okay. Now, then,
8 we're talking customary trade and barter
about subsistence fish, okay? So, on the
9 Kenai we're not rural, okay? What -- how,
then, if you're talking about abuses and I
10 recognize and agree with what Roy just said,
then if we have personal use fishery and we
11 have the sport fishery in which the users
make these huge amounts of canned salmon,
12 and admittedly take them back to the Lower
48 and sell them, very proudly, they say
13 this pays for my vacation every year, now,
you know, we have this big flap about
14 subsistence and all these people that are
going to come and just decimate the fish and
15 walk all over us. I mean, the only
boundaries to me that exist around here are
16 just the labels we put on them. We say,
okay, this is personal fish; this is sport
17 fish; and this is this. So, I don't know
what law enforcement is doing about that. I
18 do know one time in Kenai when someone
just -- you know, there was this big cry
19 about all the canned salmon that was going
out of State, and they said, well, these are
20 just average nice retired folks who are
going to sell their catch at flea markets
21 and there's not anything we can do about
that.

22 I mean, how -- when you talk
about all this -- if you talk to these nice,
23 average retired folks, they say, well, this
is subsistence. I sport fish for
24 subsistence. So, I don't know what all that
means, but, basically, you still have the
25 same problem. You've got the problem of
abuse because it -- actually, I don't think

1 it's legal to do this, but it certainly
2 isn't a good thing, and talk about numbers,
3 they're really increasing, and -- on both,
4 if this happens with customary trade and
5 barter, and where the use gets bigger, then
6 where are we and how do we arrive at any
7 balance?

Thank you.

MR. LOHSE: Pete?

MR. PROBASCO: Mr. Chair, Clare,
I think your comments are very good and well
taken. The one caveat or saving part of
this regulation is that it prevents fishery
businesses from purchasing fish or bartering
for fish. That removes a very large
element.

Additionally, ANILCA does not
address processing requirements, how fish
should be sold. So, once a person, let's
say a rural resident, wants to sell a
processed product, say, to a tourist boat,
he then or she falls under State
regulations. Then that person then has to
meet all those health requirements for a
processed product. So that in itself
prevents that type of a very large sale
because that person would have to meet the
same requirements as a fish processor or a
restaurant, et cetera.

So, there are regulations that
this regulation ties into that Federal
regulations that do not have jurisdiction in
but will prevent some of the concerns that
you just outlined.

Mr. Chair?

MR. LOHSE: Thank you, Pete. I
think one of the things to remember, Clare,
is that currently the sale of
subsistence-caught fish is totally legal
under Federal law. The only thing that
hasn't been defined is a little phrase in
there that says "not of significant value,"
and that's basically what the Task Force has
had to try to do is to define what is a
significant commercial value. Because under
law right now, it hasn't been done to a
large extent. But under law right now, the

1 fish can be sold.

2 So, it's up to us as a group to
3 decide whether in our area, because that's
4 one of the things that came up from all the
5 different Councils, is they saw that
6 different areas have different problems.
7 And in our area, what do we want to think of
8 as a significant commercial enterprise? Do
9 we see any need to put any kind of a cap on
10 it to prevent exactly what Roy is talking
11 about where people come in and subsistence
12 fish not because they want to do it for
13 subsistence, but because they want to do it
14 for the monetary value, and that's our
15 areas -- that's where we have to, as an
16 area, we have to make a recommendation
17 for -- at least for our area.

18 Thank you.
19 Roy?

20 MR. EWAN: Yes, Mr. Chairman, I
21 want to ask one more question.

22 Have you discussed whether this
23 had to be an individual thing, like if I
24 wanted to trade, do I have to do it
25 individually, I can't do it with another
26 subsistence fisherman? Say, if we come by
27 our -- whatever, we cooperate or have a
28 co-op or something where we combine our
29 efforts to barter?

30 MR. PROBASCO: Mr. Chair, Roy, if
31 I understand your question, this would not
32 prevent you as an individual to sell your
33 product to a rural -- to a nonrural resident
34 based on the cap -- to whatever cap is
35 established. You're not limited if you
36 wanted to exchange it to a rural resident.

37 There is no limit on that.

38 This is -- if the cap is
39 identified for sale from rural to nonrural,
40 we're recommending that it applies only to
41 an individual. It's not a household limit
42 or a group limit.

43 So if there's five of you in your
44 family and you're out fishing, whatever that
45 cap's established, it would be five times
46 that cap.

47 Mr. Chair?

1 MR. LOHSE: Thank you. Roy, did
2 that explain what you were asking?

3 MR. EWAN: Yeah, partly.
4 Mr. Chairman, the way I gathered,
5 I can ask you to give me a thousand of your
6 fish for something?

7 MR. LOHSE: Oh, definitely.

8 MR. EWAN: And I can market 2000,
9 I -- I mean \$1,000 -- no, that wouldn't
10 work, there's still a cap.

11 MR. PROBASCO: Just on you.

12 MR. EWAN: We can't agree.

13 MR. PROBASCO: You can't sell
14 Roy's fish.

15 MR. LOHSE: We can. It would
16 still be me and you together. It would be
17 my cap and your cap.

18 MR. EWAN: That's allowed. Five
19 people together, we can do \$5,000 worth of
20 business?

21 MR. LOHSE: That's only with
22 others. Maybe what we should do is take a
23 look at this one section at a time. Let's
24 take a look at the first section.

25 The first section says, Roy, that
26 between you and I, we can sell each other as
27 much as we want to sell each other. There
28 is no limit.

29 If you want to sell to somebody
30 in the Nenana, there is no limit.

31 Now, the limit is how many fish
32 you're allowed to take under your
33 subsistence permit, but there's no dollar
34 limit if you're selling to another rural
35 resident of the state.

36 Now, the last part of the thing
37 says that you can't sell to a commercial
38 enterprise. In other words, somebody that
39 has a State license, and that's State law
40 for them, the people that have the license
41 say that they can't receive

1 subsistence-caught fish. So whether we
2 would say we could or whether we would say
3 you couldn't doesn't change the fact that
4 the person who holds the license can't do it
5 anyhow.

6 The part that we had heartburn
7 with and the part that was the hardest, we
8 all agreed that between rural residents
9 there should be no limit.

10 In other words, if you want to
11 sell fish or fish products to Fred, there's
12 no limit to how many you can sell to Fred.
13 If Fred wants to sell some to you, there's
14 no limit on how many he can sell to you.

15 MR. EWAN: Mr. Chairman, I do
16 have a question because you said that. How
17 do you track the -- who has the fish?

18 MR. LOHSE: Roy, if you got an
19 idea on that one, the State and the feds
20 would love you. We don't know how to track.
21 Right now there's no tracking of it. Right
22 now, all the law says is that you can do it.

23 So, I mean, the IRS would be real
24 happy if you could figure out a way to track
25 it. But, currently there is no way to track
it. The only thing we have for tracking is
almost all subsistence fisheries have a
limit on the amount of fish that can be
taken. But they have nothing to do with
dollars.

17 Fred?

18 MR. ELVSASS: I have a problem
19 with this unlimited sale. We're talking
20 about subsistence fishing, and if I caught
21 one fish and sold it, that's a significant
22 business right there because I haven't
23 caught anything for me. I've sold
24 everything I caught. Or if I caught a limit
25 of 500 and sold all 500. I would rather see
something in the nature of the subsistence
fisher must retain a percentage of the
catch. For instance, I would think that if
you retain 75 percent of your catch, that
would allow you to sell any by-products
also. All the fish, the roe or whatever, or
even 25 percent of the fish in total, you
could sell. Then it's not a significant

1 business. But if you can sell everything
2 you catch, that is a significant business no
3 matter if it's one or a thousand. And what
4 we're going to wind up with here, if we're
5 not careful is subsistence fishing as a
6 business. The commercial fishing of
7 subsistence resource, and I don't think that
8 was the intent by anybody. Certainly, I
9 don't want to deny the right to barter,
10 trade and so forth, but \$1,000, you know,
11 what does it amount to?

Now, this is primarily what I'm
12 talking about here, is salmon. When you
13 look at hooligan and other things such as
14 herring and whatnot, there is no way to
15 butcher those for sale or anything. You
16 sell them as you catch them. But I think in
17 regards to that, I would prefer something in
18 the form of no more than 25 percent of the
19 catch. Then I know that they're not doing
20 it as a business.

Even that will entice some.

12 The other part of this, when we
13 get to the \$1,000, I think we're going to be
14 sure that that \$1,000 is current dollars so
15 that we don't ten years later find out that
16 \$1,000 is worth a nickel today, and, you
17 know, you're out of line with the actual
18 monetary values.

So, I think that the first part
16 needs to be addressed and then I'd rather
17 see a percentage rather than 100 percent.

17 And I think that the subsistence fishermen
18 should retain no less than 50 percent for
19 his own consumption.

So, with that, Mr. Chair?

19

MR. LOHSE: Thank you, Fred.
20 Roy, what do you think of that?

21 MR. EWAN: Mr. Chairman, I think
22 some limit might be good, but I would rather
23 see it say like 50/50. I think some rural
24 residents feel you got the type of food to
25 have cash for your boat to get to the fish
camps and all that. I don't think 25
percent would meet that need. I'd like to
see that increased a little bit.

MR. LOHSE: But the idea being --

1 MR. EWAN: I think it's a good
2 idea.

3 MR. LOHSE: The idea that you're
4 fishing for yourself and your family first.
 Fred?

5 MR. JOHN: What I'm afraid of is
6 abuse, but like Roy said, putting up a
7 fishwheel costs money, buying the lumber
8 and, you know, the whole work, it costs
9 quite a bit. And on the Yukon, they use
10 nets down there too. That costs a lot of
11 money, the gas, their boat. And I could
12 see -- I'd like this one, how it's written
13 myself personally, but my concern is
14 enforcement and abuse of the system because
15 there will be a lot of Johnny-come-latelys
16 that just show up in one year and they don't
17 know nothing about trade. All they want to
18 do is make money, try to make a few bucks.
19 And I know that.
20 So that's my concern.

21 MR. LOHSE: Fred, what do you
22 think about Roy and Fred's idea that you
23 should have to fish for yourself first and
24 you could sell a percentage of it instead
25 of -- instead of fishing just to sell it?
 You see how that would work or
 what do you think on that?

26 MR. JOHN: Well, in the Copper
27 River area, I know the subsistence, most of
28 the Native subsistence fishermen and I
29 believe that, you know, that the -- they
30 want to fish. That's their diet for the
31 winter and I don't think a lot of them would
32 abuse it. I'm just talking about mostly the
33 one-year residents in the area. That's what
34 I'm worried about more. Because once you
35 live a traditional lifestyle -- that's what
36 we've been doing all the time. We go to
37 Anchorage or we go to Fairbanks and get, you
38 know, a big box of dried fish or salmon
39 strip from Rampart or from different places
40 like we would trade, and it's really good
41 but the way it's working now, it's real
42 good, I think. You know, I just -- and we

1 buy it with money, and AFN, they could go
2 down and buy salmon down there, which is
3 illegal under State. Is it, Jack, selling
unprocessed dried salmon, is it legal or
illegal under State?

4 MR. JACK: My understanding is
5 that it's illegal under the State, but the
6 current practice of selling at AFN would be
covered under 812.

7 MS. SWAN: Mr. Chairman, just a
8 clarification, because you speak of -- it's
9 in the language in rural to rural selling
subistence-caught salmon. Is it okay to
sell to a nonrural, your subsistence catch?

10 MR. LOHSE: That's covered under
11 No. 12. That's why we ended up splitting
12 the two sections, because we recognized that
13 between subsistence users, Federally
14 qualified subsistence users, that was -- and
15 that's where the word "rural" means
16 Federally-qualified subsistence user. We
17 thought of putting that in instead. We went
18 over and over the words. But by Federal
19 definition, a rural Alaskan is a Federally
20 qualified subsistence user, and that's why
21 we said -- that's why as a group we decided
22 there should be no limit between that.

23 Where we looked at the problem
24 that Fred and Roy has been talking about,
25 the idea that you could invite abuse is the
fact that you have a lot of other people who
are not rural residents. They can be
tourists. They can be anybody else who can
become a market to invite somebody to fish
for subsistence strictly to sell instead of
to fish subsistence for subsistence.

26 So that's why that was the one
27 that they put a cap on. Because the cap was
28 for the fact that that's the -- that's the
29 Cabela's strips right here and things like
30 that where you're selling fish to other
31 people. And so the idea was that -- that in
32 order -- to not invite that abuse they're
33 talking about somehow or another a cap was
34 needed. And there was a lot of discussion
35 on that. And like I said, some areas that
don't have salmon don't think a cap is

1 needed. Some areas where they don't have
road access don't think a cap is needed.
2 Maybe we don't think a cap is needed. But
let's take this so we can get someplace.
3 Let's take the first section right here. We
were looking at that. That's trade between
4 rural residents. Roy and Fred were
suggesting that maybe in order to even keep
5 that from becoming commercial we need to put
a percentage of something on it of 50/50 or
6 not less than 50 percent or something so
that you don't even -- there's enough rural
7 residents that you can fish for other rural
residents and not keep any for yourself.
8 What's the -- let's take this
first section as a Council. What's our
9 thoughts on this first section?
Fred?

10
MR. ELVSASS: First of all, you
11 know, the concept of fishing is getting
food. That's the primary thing. And if you
12 are going to get food for others, you can
proxy and do those type of things. But --
13 and I can understand what Fred John is
saying about it costs a lot of money to have
14 a fishwheel and it's not cheap. If you can
help defray the costs, that's well and good.
15 But I don't think that should be the purpose
of having the fishwheel. If you have
16 unrestricted sales, you're going out there
to put the fishwheel in to sell fish or to
17 put the gill net in and they're not cheap
either. So, the people that are fishing
18 today and have fished in the past, I don't
think that's a problem. My problem is you
19 adopt this regulation and you're going to
see a triple amount of subsistence fishermen
20 all of a sudden because they can make a few
dollars at it.

21 Especially when people are
unemployed, there's nothing better than to
22 borrow a net and a skiff and get a bunch of
fish on a permit; and I know in our area, I
23 have a boat and motor and I fish my net, and
I have a couple other guys fish their nets
24 with my boat and motor. I don't charge them
nothing for it, but they just don't have a
25 boat and motor. So that could just expand
and get out of hand. And that's what

1 bothers me. I think that if I'm going to go
2 fishing for subsistence, I'm fishing for
3 food. If I share it and trade it which I
4 like to do, that's well and good, but I'm
5 not in the business of selling that product.
6 I'm not trying to defray my costs by selling
7 some. And some places it's necessary.

8 But, on the other hand, if it is
9 necessary to defray the cost, you shouldn't
10 do it 100 percent. I think Roy's comment of
11 50/50 is probably more practical. I'm in a
12 position where I'd rather say 75/25, but
13 50/50 is realistic. But if you're going to
14 have subsistence fish for sale, especially
15 in the salmon area, you should also be a
16 user, consumer.

17 Thank you.

18 MR. LOHSE: Thank you.
19 Roy?

20 MR. EWAN: Mr. Chairman, the more
21 I think about it, the more I like the idea
22 of the person who has a fishing permit to
23 get fish for themselves first and, for lack
24 of a better percentage, I think 50/50 is
25 good with me, because -- because I've heard
26 a lot of people in some rural communities
27 that use boats and other means to get their
28 fish, have other expenses. They also want
29 other types of food to supplement the fish.

30 I think 25 percent of the run is
31 not that good. It would be a hardship on
32 some of the people. That's just what I see.

33 I think that there's room for a
34 lot of abuse here but what you said earlier,
35 Mr. Chairman, where you can sell me a lot of
36 fish and so can Fred and everybody, and
37 there's nobody tracking where this is all
38 going. I could be doing something else with
39 it, it appears to me. I wouldn't be doing
40 it, but I know that some business-oriented
41 individual coming from somewhere else to a
42 rural area can make a big business out of
43 this. I like the idea of kind of making
44 sure that the individual fishes for themselves
45 first.

46 Thank you.

47 MR. LOHSE: Fred?

1 MR. JOHN: I've got a question,
2 Mr. Chairman. Right now we're just giving
3 them comments and recommendations and
whatever?

4 MR. LOHSE: We're speaking to the
5 draft language that's right here to make
6 comments on that so that we can go back and
revise language.

7 MR. JOHN: Okay. That's all.

8 MR. LOHSE: Roy, I'm going to ask
9 you a question on that because I've been
10 thinking about it too, and I have never
11 given that a thought before, the idea that a
12 person should have to fish for themselves
13 first and for their families' needs; and so
14 I took a look at this one that we had here
15 after we'd been talking, and what I added to
16 it is I take the first one, the exchange for
cash of subsistence-harvested fish, for
example -- their parts legally taken for
Federal management methods, processed or
unprocessed is permitted for cash exchange
as long as the rural resident keeps -- at
least 50 percent of all salmon taken are
kept for the family's personal food.

Would that make that much more
acceptable?

17 MR. EWAN: Yes, for me.

18 MR. ELVSASS: I like that idea.

19 MR. LOHSE: I like that idea too,
20 because it points out that the reason for
the subsistence is to take food for the
family. Because, like you said, some of the
21 people from up north talked about the
expense in doing their subsistence
22 activities, and the need to sell some of the
product just to pay the expenses so they can
23 continue their subsistence activities.

MR. EWAN: Mr. Chairman, a
24 comment on what we're talking about here,
and that is it seems to me like it will
25 curtail the abuse a little bit. I think if
we do it this way rather than just leave it

1 wide open and you don't sell 100 percent of
2 your catch, because I can just imagine a
3 schoolteacher out there somewhere in rural
4 Alaska storing a lot of salmon in order to
5 sell it later. That, I don't think the
6 person would do. It's going to be a waste
7 of salmon, I would think, unless she's
8 giving it away later on. I think the
9 individual has got to make use of the --
10 process the fish for themselves and show
11 somehow that they are using the salmon for
12 themselves rather than selling everything, you
13 know.

14 I think that it will cut down on
15 abuses. Not totally, but I think --

16 MR. LOHSE: Not totally.
17 Fred?

18 MR. JOHN: Yeah, this exchange
19 between rural resident -- that word "rural"
20 I don't like that. It could be rural, but
21 you could be a non -- a nonsubsistence user,
22 Federally qualified or whatever?

23 MR. LOHSE: Would you replace it
24 with Federally qualified?
25 Fred?

MR. JOHN: Yeah.

MR. LOHSE: You'd rather have it
Federally qualified subsistence user?

MR. JOHN: A teacher that just
came in that don't even have -- is qualified
as a subsistence user.

MR. LOHSE: So, that was one
thing that we went over that word time and
time again because under Federal law the
word "rural" means Federally qualified
subsistence user. And that's why we ended
up using "rural" instead of spelling it out.
I'm in favor, like you --

MR. JOHN: And a lot of people
will take that and use it in their own
definition.

1 MR. LOHSE: I'm like you, I would
2 prefer Federally qualified subsistence user.
3 Let's change that.

4 MS. SWAN: Mr. Chairman, I'm not
5 a Federally qualified subsistence user, I
6 guess, but I much prefer with subsistence
7 foods or salmon, I much prefer, in my
8 experience -- we barter because of the time
9 we make -- the berry pickers make jam and
10 trade for strips or whatever. It's how we
11 do it. And we've always done that. But, of
12 course, you know, I'm just having a hard
13 time with this, because I realize we have to
14 have it to prevent abuse, and subsistence
15 is -- we like to tell everybody that it's
16 fishing for our families. I mean, so, we
17 have to remember that. I mean, isn't that
18 what subsistence is?

19 I'm having a hard time with this
20 because of just -- it seems to me, I'm just
21 sitting here right now thinking it's all
22 words because it depends on what you do with
23 it. I recognize that we have to have these
24 regulations, but if you think about it in
25 the whole context of fishing in Alaska, you
26 just have to laugh because -- and you just
27 have to do what you got to do. You know,
28 those of us who don't have subsistence
29 practices, at least I do, my friends do, my
30 family does.

31 But -- so, do you have to put
32 Federally qualified subsistence user in
33 there? Could I just get some subsistence
34 fish for my family who is a rural resident
35 without feeling like I'm illegal or
36 something? I mean, I don't know.

37 MR. LOHSE: You're not.

38 MS. SWAN: Okay.

39 MR. LOHSE: Even under this law
40 here, you're not. When you're bartering,
41 you're trading. There is no limit on trade.
42 This is talking about cash sales only.

43 MS. SWAN: Well, I just hope that
44 we remember that we really believe it when
45 we tell everybody that subsistence is for

1 feeding our families and for sharing.
Especially when we get into the discussion
2 about money, because I am -- I think there
should be certainly a limit on the amount of
3 money that you can get. Money itself,
recognizing that it does cost money to get
4 the fish.

Thank you.

5
MR. LOHSE: Anybody else have any
6 comments on this first section?
Roy?

7
MR. EWAN: Mr. Chairman, I was
8 just wondering about how this is going to
be, I guess, enforced. How are we going to
9 know what's going on? Have you discussed
that area at all?

10
MR. LOHSE: Pete?

11
MR. PROBASCO: Mr. Chair, Roy,
12 yes, we have discussed it and you've pointed
out very well some of the problems of not
13 having a monitoring system established.
Anytime you develop a regulation that
14 encompasses such a broad and difficult topic
around it, it's a stepwise procedure, and I
15 view this as step one in trying to define
what the original drafters meant by defining
16 customary trade.

The next steps in the years to
17 come is to deal with the problem areas, like
you articulated very well, Roy. What do we
18 do with the people that are abusing? How do
we monitor? How do we keep tabs on it? I
19 admit, it's not defined in here.

What it does give enforcement
20 right now is through their contacts in local
communities from that feedback, identifies
21 users, then it's up to enforcement to go
through their process of collecting the
22 information and to enforce the regulation on
those abusers. But to go the step that --
23 or the path that you're going down, I think
is still down the road, yet.

24 It's not in this regulation, but
it does give enough meat for enforcement
25 to -- if there are some abusers out there,
to go after them and collect the needed

1 information.

Mr. Chair?

2

MR. LOHSE: Thank you, Pete. We
3 talked about this. Basically, what's going
to have to happen is the communities
4 themselves are going to have to look and
say, this person's -- it's not -- you're not
5 going to be able to enforce this on somebody
that is just a little bit illegal, but
6 somebody who makes a practice of totally
abusing the privilege that they have right
7 here. The community is going to have to
say, you know, if you keep this up, we're
8 going to go to enforcement and we're going
to have you, you know, enforced because
9 you're so far out of line you're endangering
the rest of us. It's actually -- in my way
10 of thinking, it's actually more of this
becomes a community way of thinking. We
11 want to take the fish for ourselves, but
you're allowed to sell some of them. But if
12 somebody in the community is making a big
business out of it, you can say, no, that's
13 against the law.

But I see it as a nightmare for
14 enforcement myself. It's a total nightmare
now because there's no guidelines now.

15

MR. EWAN: Mr. Chairman, the
16 reason I'm asking is I might be able to
suggest something like: One is, random
17 count of fish, you know, fishwheel catch, so
forth. I don't know if that's being done
18 presently, but I haven't seen anybody going
around to the fishwheels and counting the
19 fish. That leads me to believe that a lot
of people are not reporting actually what
20 their real catch is. I always come back
from the fishwheel and tell my wife how many
21 I caught, and she's the one that takes care
of the records.

But, I know that -- I think I've
22 stated this at previous meetings, and that
is I've seen fishwheels running for days and
23 days. I'm talking about a whole month or
so. If I had my fishwheel running that
24 long, I would have enough to feed 100
people, but these are non-Natives that live
25 on the Copper River. They leave the

1 fishwheels going day after day nonstop.
Where are all the salmon going? That
2 particular area I'm talking about is an old
Native fishing area. We know that's a good
3 fishing area.

I would suggest maybe something
4 like a random count once in a while to see
that you're accurately reporting to cut down
5 on abuses.

I know that might be a little
6 difficult sometimes. I know in our area, we
usually go down with the boat, a trip, once
7 a week or so, look at the salmon and see how
many are in the area.

8 MR. LOHSE: Thank you, Roy.
9 Fred?

10 MR. ELVSASS: Yeah, the
regulations you're working on here, are they
11 going to be statewide or are they going to
be by areas?

12 MR. LOHSE: Pete?

13 MR. PROBASCO: Mr. Chair, Fred,
14 yes, to both of your questions, they are
statewide, and if the Regional Council
15 elects can recommend to the Federal Board
specific regulations that apply to their
16 area. What the Task Force did is we worked
hard on this, and we came to the realization
17 that the best approach is to get this draft
language out to the Councils to address it
18 statewide, and if there are specific areas
that the Councils are concerned that either
19 the Task Force wasn't aware of or wanted
more feedback, for instance, like southeast
20 hooligan, it's more appropriate to come to
the Council as a whole than the one person
21 serving for that Council.

So, yes, you have the latitude to
22 refine this for the Southcentral Region,
make those recommendations.

23 Mr. Chair?

24 MR. LOHSE: Carl?

25 MR. JACK: Mr. Chairman, I
just -- I attended, for example, Seward

1 Peninsula Regional Advisory Councils and we
discussed this. What they did was the --
2 they will recommend that the dollar amount
be knocked off, be like A-11 -- between
3 rural residents and others, their preference
was no dollar, and if there has got to be
4 one, they would be the ones to make that
recommendation, recognizing that there's
5 regional differences. So that's what they
did.

6
MR. LOHSE: So, Carl, if I
7 understand you right, Seward Pen basically
liked 11 and the last part there's no choice
8 on, because that's State law. And on the
center part, they suggested that each region
9 comes up with their own dollar limit?

10 MR. JACK: That's true.

11 MR. LOHSE: I like the
suggestions. I wish in a way this couple of
12 suggestions had been made here today would
have answered some of the worries that were
13 expressed at the Task Force meeting. I
really like the suggestion of putting the
14 fact that at least 50 percent of the fish
have to be retained for personal family use,
15 because that -- that answers the idea behind
subsistence that it's for the family first
16 or, you know, or for community family,
whatever you want to call them, but the idea
17 is to take fish for food.

And I would suggest that if
18 that's agreeable to the rest of this
Council, that we submit that as a suggestion
19 to the Task Force that that be added to
Section 11 and if we would like to take a
20 vote or consensus on that, we can do that,
but at least 50 percent of all salmon taken
21 are kept for the family's personal food.

To me, that would answer some of
22 the fears of somebody just jumping in.
Ann?

23
MS. WILKINSON: I'm sorry to
24 interrupt, Mr. Chairman, but as a member of
that Task Force and having sat there for a
25 long time at these meetings I have a
question. I would like to know if this

1 change to the first part about the 50
2 percent is suggested for this region or for
3 a statewide basis? Because something of
4 significance would be -- certainly, the
5 whole state, they would need to see it, and
6 I'm sure they will, but I just wanted to
7 know if you were making that suggestion on a
8 statewide basis or the Southcentral Region.

9 MR. LOHSE: I think we're making
10 it for consideration on a statewide basis.
11 Aren't we, Roy?

12 MR. EWAN: Not really, myself. I
13 go along with the Council members if that's
14 what they want. I like the idea that Carl
15 mentioned about each region setting its own
16 limits, maybe the percentage could be set by
17 each region throughout.

18 MR. LOHSE: Okay. That's a good
19 idea.

20 That would be -- then we could
21 put it in there as suggested for
22 Southcentral Region and we would suggest
23 that other Councils consider setting a
24 percentage for their own region. And the
25 reasoning behind it is that fish should be
used for food first before trade.

Okay.
Now, if we add that and like Fred
said, replace "rural" with Federally
qualified subsistence users, we've discussed
that, but I think that that would be more
acceptable to this Council too, wouldn't it?

MR. JOHN: You can put it in
italics.

MR. LOHSE: In italics, whatever,
but that it's there.

(Laughter.)

MR. LOHSE: I don't think we have
to take a vote on this. We can do it by
consensus, or do we need to take a vote on
something like this?

MR. PROBASCO: Mr. Chair, I think

1 the process we're working with right now --
2 for the committee, I have both identified
3 and Ann has as well. You're on the Task
Force so you're going to make sure they're
there when we meet again. They're covered.

4 MR. LOHSE: Are these two
5 suggestions agreeable to all Council
members?

6 MR. ELVSASS: Fine with me.

7 MR. EWAN: Mr. Chairman, I just
8 want to be sure that this happens.

9 MR. LOHSE: It's in the minutes.
10 It's going to happen. He's got it. He's
going to take it there.

11 MR. EWAN: If it takes a motion
to do that, I'd like to do that.

12 MR. LOHSE: Would you like to
13 make a motion?

14 MR. EWAN: Make a more formal
motion.

15 MR. LOHSE: Do that.

16 MR. EWAN: I'll move that -- the
17 first part --

18 MR. LOHSE: At least 50 percent
in Southcentral Region, at least 50 percent
of all salmon taken are kept for the
19 family's personal food.

20 MR. EWAN: Okay. And leave it up
to the other regions to set their own
21 percentage.

22 MR. LOHSE: Suggested the other
regions -- they set their own percentage.

23 MS. SWAN: And dollar amount.

24 MR. LOHSE: This is on the first
25 part right here. It's just the idea that
the salmon needs to be taken for family food

1 first before you trade or barter.
2 Okay. Then we also wanted to --
3 I don't know if we need a motion on the part
4 about including in italics or putting in
5 Federally qualified.

6 MR. EWAN: Mr. Chairman, I know
7 now what I was thinking about. That is Carl
8 suggested that each region set their own
9 limits on the dollar amount, and that's -- I
10 wanted to make it all -- both on the
11 motion --

12 MR. LOHSE: We can do that on the
13 next section.

14 MR. EWAN: Okay. Thank you.

15 MR. JACK: Mr. Chairman,
16 correction. I just made a statement what
17 happened at the Seward Pen, rather than a
18 suggestion.

19 MR. LOHSE: It wasn't a
20 suggestion, it was what Seward Pen did.
21 Seward Pen did that.

22 So, okay. Let's take a vote,
23 then on adding the -- in Southcentral -- do
24 we have a second?

25 MR. ELVSASS: I said do you
26 have --

27 MR. LOHSE: Do we have a second?

28 MS. SWAN: I'll second it.

29 MR. LOHSE: It's been moved and
30 seconded that we recommend to the Task Force
31 that in Southcentral at least 50 percent of
32 all salmon taken are kept for the family's
33 personal food.

34 MR. ELVSASS: Sounds good to me.

35 MR. LOHSE: All in favor.

36 COUNCIL MEMBERS: Aye.

37 MR. LOHSE: All opposed.

1 That's our recommendation on
2 No. 11.

3 And do we want to make a formal
4 one on the Federally qualified subsistence
5 users, Fred?

6 MR. JOHN: No.

7 MR. LOHSE: We've told Pete that,
8 he's got it down in his notes.

9 Now, we go to Section 12 and this
10 is where Seward Pen said that they thought
11 that every region should make their own cap.

12 This is customary trade between rural
13 residents and others. This includes people
14 who live in town, tourists, anything like
15 that. Somebody who is not a qualified rural
16 subsistence user.

17 In other words, they're selling
18 to somebody who is not a subsistence user.
19 It says customary trade and barter for fish
20 legally taken under Federal subsistence
21 management regulations between a Federally
22 qualified user and others is also permitted
23 as long as the total amount of cash or value
24 sold by each family member for salmon does
25 not exceed \$1,000 annually.

26 Again, what you were talking
27 about before, Roy, that \$1,000 cap is for
28 each family member. If you have five family
29 members on your subsistence permit, you can
30 sell \$5,000 worth of fish to others that
31 aren't subsistence users.

32 There was a lot of struggle on
33 what kind of number to put in there. People
34 wanted to make legal what's currently being
35 done, like at AFN and places like that, and
36 at the same time, they wanted to make it
37 small enough that it didn't attract people
38 into going into business.

39 So, what's our feeling on this as
40 Southcentral?

41 Who wants to start. Roy?

42 MR. EWAN: Mr. Chairman, I think
43 I know you people have probably discussed
44 this already, but I don't have a particular
45 figure, but I think there should be a
46 figure. I have no problem with \$1000 if
47 somebody else doesn't have a problem with
48 that.

1 I just don't like to be talking
2 about something that I know you people have
3 discussed, and kind of agreed to something
already, and I don't want to change your
mind because --

4 MR. LOHSE: We haven't --

5 MR. EWAN: You have more in-depth
6 information than I do.

7 MR. LOHSE: We haven't as a
Council discussed it. That was a discussion
that took place at the Task Force.
8 Basically from our direction, the only thing
that I presented to the Task Force was the
9 idea that was presented earlier in the --
when we discussed customary trade and
10 barter, and Gloria mentioned that we didn't
want to make it something that would attract
11 others into a -- strictly for a business.
And at that time, a figure that was thrown
12 around was like \$500, and I think, if I
remember right, Bristol Bay suggested \$400.
13 There was suggestions, if I remember right,
between 400 and unlimited. You know. And
14 as a Task Force, we came up with \$1,000 per
family member.

15 But, this Council has not made a
statement one way or another on it. That's
16 why it's here in front of us; as a Council
do we feel a need for a cap? And if we do
17 feel a need for a cap, as you've expressed,
what cap would be acceptable to this
18 Council?

19 Fred?

20 MR. JOHN: I don't have any
problem with this right here, \$1,000.

21 MR. LOHSE: You don't haven't any
22 problems?

23 MR. JOHN: 20 years ago it would
have been big money then.

24 MR. LOHSE: Fred?

25 MR. ELVSASS: I need to get
something clear here. You say \$1,000 per

1 person. Family of five can sell \$5,000
2 worth of fish?

3 MR. LOHSE: That's as it's
4 written.

5 MR. ELVSASS: I would really
6 suggest that you look at something like
7 maybe \$1,000 for head of household and
8 something in the lesser amount for
9 dependents. I don't know, you know, how
10 workable or how enforceable this is going to
11 be; but, again, well, you start talking
12 \$5,000 worth of fish, right now with a
13 fishwheel going, what's your limit? 500?

14 MR. EWAN: I don't think there's
15 a limit. I don't know what the limit --
16 whether they put a limit on it, but you take
17 a certain amount that you want; ours is
18 usually 500. We never get near that. You
19 leave it open for 500. Where you get them,
20 where you process them. When I get more
21 than I need, I shut it off.

22 MR. ELVSASS: Well, anyway, that
23 bothers me because I could see this -- I
24 thought we just resolved in the first
25 section coming to get us on the monetary
value.

26 I think \$1,000 is a realistic
27 number, but not \$5,000, or 6,000. And I
28 just -- I don't know. What do -- what are
29 you guys' thoughts?

30 MS. SWAN: Mr. Chairman, I was
31 thinking the same thing. Maybe -- I
32 don't -- I think \$1,000 for head of
33 household sounds okay, and perhaps, because
34 it could go as high as 9 and I know people
35 who could do like 10 if they have children
36 and other family members, I mean, in their
37 households.

38 So, maybe there could be a lower
39 figure for other family members. I think
40 there should be.

41 MR. LOHSE: Clare just says --
42 just as a clarification not proposing
43 anything or anything, a family, as defined

1 in this term right here -- a family is
2 defined in the regulation to mean all
3 persons related by blood, marriage, or
4 adoption, or any person living within the
5 household on a permanent basis.

6 In other words, a family is any
7 group of people living together. And so, a
8 family could be one, a family could be 21.

9 Part of the reasoning behind it was that the
10 larger the family, the more people you had
11 to prepare things, and the more people that
12 you had that were going to, you know, need
13 the economic gain from it, and I think that
14 was the reason that family was included in
15 there.

16 Pete, am I correct on that
17 assumption?

18 MR. PROBASCO: Yes, Mr. Chair,
19 the Task Force wrestled with how to make it
20 more equitable between small family size and
21 large family size recognizing that a larger
22 value is needed to support a larger family
23 versus a smaller family.

24 Mr. Chair?

25 MR. LOHSE: Thank you, Pete.

MR. EWAN: Question about the
Task Force and the process that you used,
was that kind of a closed meeting or open to
the public for public comment or what?

MR. PROBASCO: Open.

MR. LOHSE: It was an open
meeting. There was some public there, but
not much at different times, if I remember
right.

Pete?

MR. PROBASCO: Mr. Chair is
correct. It was open to the public.
Attendance was small. We had
representations from AFN, various fishery
organizations and just the general public.

MR. LOHSE: And, again, the Task
Force did recognize the different areas and
different Councils had different needs and

1 different fisheries, and that's why it was
2 put in here that Regional Councils may
3 submit proposed monetary caps during the
4 fall meeting. In other words, we recognize
5 that different places are going to have
6 different impacts and different needs, and
7 that's why this is a -- for lack of a better
8 way of putting it, this is a suggested
9 number, this is not a firm number. This is
10 a suggested number. And it could be lower,
11 it could go higher. It could be like Fred
12 was saying, you could say head of the
13 household and X amount for less than head of
14 household.

15 Roy?

16 MR. EWAN: Mr. Chairman, one
17 thing I have a question about is have you
18 discussed fair market value of the salmon?
19 Are we talking about to give away here? You
20 can give all of your catch and say an amount
21 to \$1,000?

22 MR. LOHSE: No -- we did discuss
23 it. Pete can correct me if I'm wrong. We
24 said the only market value is what you sold
25 it for. If you gave a piece of fish away,
26 that doesn't count. You can give all the
27 fish away that you want. You can trade all
28 the fish that you want. The only thing that
29 was counting was this \$1,000 and this is
30 between others, is if you sold something for
31 cash. That's what this is dealing with,
32 which is customary trade, which is for sale
33 for cash.

34 MR. EWAN: The reason I ask this,
35 Fred can sell his for 50 cents; I can sell
36 mine for \$5 apiece. I get a better value
37 for my fish than he does, and I think that's
38 an area that we should discuss sometime in
39 the future. To me, Fred has given it away
40 for less --

41 MR. LOHSE: Fred has the right to
42 give his fish away. Fred can give his fish
43 away for nothing.

44 MR. EWAN: To nonrural areas?

1 MR. LOHSE: Yeah, to anybody. He
2 can give his fish away if he wishes to. And
3 so he's a poor businessman to give them away
4 for 50 cents when you're giving them away
5 for 5, but by law, he can give his fish
6 away.

7 MR. EWAN: Okay.

8 MR. LOHSE: For nothing, or for
9 anything.

10 So, what this is dealing with,
11 this is dealing with how much does he
12 receive? In other words, it was basically
13 putting a cap on what he could receive. I
14 mean, that's -- we're dealing within the
15 ramification of what Federal law is, not --
16 I mean, we're recognizing the problems
17 inherent in it, but there's nothing we can
18 do about the problems. Pete, I expect you
19 to correct me if I say something we haven't
20 discussed or these are things -- these are
21 all things that came up that we couldn't
22 come up with an answer to them.

23 Thank you.

24 Roy?

25 Fred?

1 MR. ELVSASS: Yeah, I just -- you
2 know, in response to that, as long as the
3 dollar cap is there, I just have to sell
4 more fish than you do to reach the amount.
5 But in regards to giveaway, you know, I put
6 up and give fish to my mother-in-law, and I
7 think it's great. It keeps peace in the
8 family.

9 (Laughter.)

10 MR. LOHSE: Carl?

11 MR. JACK: Yeah, Mr. Chairman,
12 for the record, the initial conclusion of
13 the Task Force was not to have any dollar
14 amount, but to them it would mean going back
15 to square one. So, the last day was when
16 they set the dollar amount.

17 MR. PROBASCO: That's correct.

1 MR. LOHSE: Basically, they felt
2 that without a dollar amount we were right
3 back to where we were before we started. We
4 haven't defined significant commercial value
5 in any way, and so, basically, we were at
6 where we are right now, which is anybody can
7 sell anything they want in any amount they
8 want.

9 So, it's up to us as a Council to
10 decide whether in our area it is or is not
11 worth having a dollar amount to keep from
12 inviting people to abuse the system or
13 whether we feel that we should just stay
14 where we're at which has no dollar amount
15 and hope nobody abuses the system.

16 MR. ELVSASS: Mr. Chairman?

17 MR. LOHSE: Yes, Fred.

18 MR. ELVSASS: I was just talking
19 to Fred here. You know, this is most likely
20 to occur in the Copper River drainage than
21 in Cook Inlet, and I don't see it as a
22 problem at this point in the Cook Inlet -- I
23 hope it gets to be a problem in Cook Inlet,
24 then we're doing our job. I think maybe we
25 should just leave the recommendation and see
26 and we can address it later if it gets to be
27 a problem.

28 You know, that would be my
29 recommendation.

30 MR. LOHSE: Would you make the
31 motion to the effect that -- I don't know if
32 we have to recommend what the consensus is
33 at this point in time. We'll support A-12.

34 MR. ELVSASS: Mr. Chairman, since
35 we're not recommending a change --

36 We don't need a motion.

37 MR. LOHSE: The consensus is that
38 A-12 can stand as it is until further --

39 MR. JOHN: Until problems arise.

40 MR. LOHSE: Until problems arise?
41 Is that an agreeable consensus with all the
42 Council members?

1 Okay. That's an agreeable
consensus with all the members.

2 Again, there's -- we can't do a
lot for the last and that no parts of
3 fishery business -- that is written into the
license. It says if they hold a license, it
4 says they can't purchase, trade, or barter
for subsistence-caught fish. I think that
5 part -- do we still need to recommend that
as it stands?

6 Pete?

7 MR. PROBASCO: Yes, Mr. Chair, if
you recall, we had a solicitor at our
8 meetings and he wasn't too sure but
recommended that we include this language
9 for the possibility that you had a processor
that was strictly on Federal waters, Federal
10 lands, et cetera, was unsure, but this makes
it very clear and prevents any potential
11 loopholes.

 Mr. Chair?

12 MR. LOHSE: Okay.

13 In that case, as a Council, what
is our consensus on this last part?

14 MR. ELVSASS: Fine with me.

15 MS. SWAN: Very good, yes.

16 MR. LOHSE: Roy?

17 MR. EWAN: Okay.

18 MR. LOHSE: Okay. Well, then,
19 that takes care of us in this department.
What we have is we have a schedule of how
20 it's going to work. We also will have
another opportunity -- two more
21 opportunities to comment on this, and --
before it goes through.

22 MR. EWAN: Mr. Chairman --

23 MR. LOHSE: Roy?

24 MR. EWAN: Carl has passed this
25 out --

1 MR. JACK: I didn't get that.
Say it again.

2 MR. EWAN: This handout here,
what is this showing us? What are we
3 supposed to gain from this?

4 MR. JACK: Just provided for your
information.

5 MR. LOHSE: Roy, I can tell you
6 one comment that was made on it. This is at
the same time that they had closures on
7 subsistence Yukon dogs. And the same time
the subsistence community wasn't getting
8 Yukon dogs, they were advertised in the
Cabela's catalog.

9 That was part of it, wasn't it,
Carl?

10 MR. JACK: That was part of what
11 initiated the discussion on having the
regulation.

12 MR. LOHSE: With that, what time
13 do we have -- is it lunchtime?

14 MS. SWAN: Yeah.

15 MR. ELVSASS: Quarter to 12:00.

16 MR. LOHSE: Quarter to 12:00?
Let's adjourn -- let's recess
17 until quarter after 1:00. At this point in
time we'll come back, we have -- we have the
18 office of subsistence management, agency
report. We've got the Bureau of Land
19 Management; we've got the Forest Service; we
go on to election of officers; we're going
20 to cover some new business and establish a
time and a place of the next meeting; and
21 depending on how long-winded everybody is
this afternoon, we'll see whether we get out
22 by 5:00 o'clock.

23 MR. PROBASCO: Mr. Chair, you
just overlooked it. I have about a
24 two-minute presentation, during the Council
on halibut --

25 MR. LOHSE: Thank you, let's do

1 that before we take off. He's a got a
2 two-minute presentation on subsistence
3 halibut to go through.

4 I didn't see that.

5 Let's take it. It's a two-minute
6 presentation. We'll take it.

7 MR. PROBASCO: Can I get five?

8 MR. LOHSE: Five is fine too.

9 MR. PROBASCO: Mr. Chair, this
10 presentation is just intended to bring the
11 Regional Council up to speed on the issue of
12 subsistence halibut. Federal subsistence
13 law received three proposals related to
14 halibut for consideration for 2002 fishing
15 regulations. These proposals are being
16 withdrawn or deferred from consideration by
17 the Board at this time pending clarification
18 of Board jurisdiction and limitation
19 procedures. The Management of Halibut is
20 governed by the International Halibut Treaty
21 and the North Pacific Halibut Act for
22 jurisdiction of the United States resting
23 with the Secretary of Commerce. Title VIII
24 of the National Interest Lands Conservation
25 Act does not supersede nor modify the North
26 Pacific Halibut Act. At this time there are
27 legal uncertainties regarding whether the
28 Federal Subsistence Board can actually
29 implement subsistence halibut regulations
30 and if they can whether these regulations
31 will have to go to the International Halibut
32 Regulation for approval. Upon the issues,
33 proposals dealing with halibut will be
34 reexamined for proposal processing and
35 potential action.

36 Mr. Chair, as you're aware, the
37 North Pacific Management Council is
38 currently working on subsistence
39 regulations. They've been on it for public
40 review for quite some time now. They're
41 meeting right now in October to fine-tune
42 those. However, final action is not slated
43 until December here in Anchorage on those,
44 and there's a briefing in the paper that
45 lays out those halibut regulations. I don't
46 think I need to go into any detail at this
47 time.

1 The take-home message that I'm
2 trying to provide you is that we have had
3 proposals from the public to deal with the
4 subsistence halibut. However, the Board is
5 uncertain at this time if they can legally
6 do it, take them up. That's being
7 researched by the various solicitors, and
8 right now those proposal are not before us
9 and being taken.

 Mr. Chair?

10 MR. LOHSE: Thank you. Any
11 questions for Pete on that? That's pretty
12 self-explanatory. Until the North Pacific
13 Halibut Commission and the solicitors decide
14 that it's legal for us to have halibut
15 subsistence, it will just be tabled.

16 MR. PROBASCO: That's correct,
17 Mr. Chair.

18 MR. LOHSE: Questions for Pete?
19 We've already taken five minutes,
20 so let's make it 20 after 1:00.

21 (Lunch break.)

22 MR. LOHSE: We'll call this
23 meeting of the Southcentral Regional
24 Advisory -- Subsistence Regional Advisory
25 Council back to session.

 We are to the Regional Council
Review and recommended changes, if
necessary.

 Turn to Tab H.

 Okay. As we go through this,
this is just kind of a review, and we need
to either recommend changes or leave it as
it is. And this goes through the charter
that we operate under, official designation
is Southcentral Subsistence Regional
Advisory Council. The objective of the
Council is to provide an administrative
structure that enables rural residents who
have personal knowledge of local conditions
and requirements to have a meaningful role
in the management of fish & wildlife and of
subsistence uses of those resources on
public lands in the region and that
automatically means Federal public lands.

1 Period of Time Necessary for the
2 Council's Activities and Termination: The
3 Council is expected to exist into the
4 foreseeable future. Its continuation is,
5 however, subject to rechartering every
6 biennial anniversary of the Alaska National
7 Interest Lands Conservation Act of December
8 2, 1980, and biennial means every two years,
9 right?

10 MS. WILKINSON: Uh-huh.

11 MR. LOHSE: The Council will take
12 no action unless the requirements of the
13 Federal Advisory Committee Act have been
14 complied with.

15 If I come across something that
16 needs changing or clarifying, say so.

17 The Council -- Official to Whom
18 the Council Reports: The Council reports to
19 the Federal Subsistence Board Chair, who is
20 appointed by the Secretary of Interior with
21 the concurrence of the Secretary of
22 Agriculture.

23 Support Services: The U.S. Fish
24 & Wildlife Services, Department of the
25 Interior, will provide administrative
26 support for activities of the Council.

27 Duties of the Council: The
28 Council possess the authority to perform the
29 following duties: 1, initiate, review and
30 evaluate proposals for regulations,
31 policies, management plans, and other
32 matters relating to subsistence uses of fish
33 and wildlife on public lands within the
34 region; 2, to provide a forum for the
35 expression of opinions and recommendations
36 by persons interested in any matter related
37 to the subsistence uses of fish and wildlife
38 on public lands within the region; 3, to
39 encourage local and regional participation
40 in the decision-making process affecting the
41 taking of fish and wildlife on the public
42 lands within the region for subsistence
43 uses; 4, to prepare an annual report to the
44 Secretary containing the following: An
45 identification of current and anticipated
46 subsistence uses of fish and wildlife
47 populations within the region; an evaluation
48 of current and anticipated subsistence needs

1 for fish and wildlife populations within the
 2 region; a recommended strategy for the
 3 management of fish and wildlife populations
 4 within the region to accommodate subsistence
 5 uses and needs and, four, recommendations
 6 concerning policies, standards, guidelines
 7 and regulations to implement the strategy;
 8 5, to appoint one member to the
 9 Wrangell-St. Elias National Park Subsistence
 10 Resource Commission and two members to the
 11 Denali National Park Subsistence Resource
 12 Commission in accordance with Section 808 of
 13 ANILCA; 6, to make recommendations on
 14 determinations of customary and traditional
 15 use of subsistence resources; 7, to make
 16 recommendations on determinations of rural
 17 status. That's what we did with the Kenai.
 18 But, again, like it says, we make
 19 recommendations. We don't pass them.

20 8, to provide recommendations on
 21 the establishment and membership of Federal
 22 and local advisory committees.

23 The Council will perform its
 24 duties in conformity with the Operating
 25 Manual for Federal Subsistence Regional
 Advisory Councils.

Which we've received.

7, Estimated Operating Costs:

Annual operating costs of the Council are
 estimated at 100,000, which includes one
 person per year of staff support.

8, Meetings: The Council will
 meet at least twice each year at the call of
 the Council, Council Chair, Federal
 Subsistence Board Chair, or designated
 Federal officer, with the advance approval
 of the Federal Subsistence Board or the
 designated Federal officer, who will also
 approve the agenda.

9, Membership: The Council's
 membership is as follows: Seven members who
 are knowledgeable and experienced in matters
 relating to subsistence uses of fish and
 wildlife and are residents of the region
 represented by the Council.

The Secretary of the Interior
 will appoint members based on the
 recommendations of the Federal Subsistence
 Board and with the concurrence of the
 Secretary of Agriculture.

1 Vacancy: Whenever a vacancy
2 occurs among Council members appointed under
3 paragraph 9, the Secretary will appoint an
4 individual in accordance with paragraph 9 to
5 fill that vacancy for the remainder of the
6 applicable term.

7 Terms of Office: Except as
8 provided herein, each member of the Council
9 will serve a three-year term unless a member
10 of the Council resigns prior to the
11 expiration of the three-year term or he or
12 she is removed for cause by the Secretary
13 upon recommendation of the Federal
14 Subsistence Board. Members will be notified
15 of their appointment in writing. If
16 resigning prior to the expiration of a term,
17 members will provide a written resignation.

18 Chair: Council members will
19 elect the chair for a one-year term.

20 Removal of Members: If a Council
21 member appointed under paragraph 9 misses
22 two consecutive regularly scheduled
23 meetings, the Chair or the Federal
24 Subsistence Board may recommend that the
25 Secretary of the Interior with the
concurrence of the Secretary of Agriculture
remove that individual.

 Compensation: Members of the
Council will receive no compensation as
members. Members will, however, be allowed
travel expenses, including per diem, in the
same manner as persons employed
intermittently in government service are
allowed such expenses under 5 U.S.C. 5703.

 No. 10, Designated Federal
Officer or Employee: Pursuant to Section
10(e) of the Federal Advisory Committee Act,
the designated Federal officer will be the
Federal Regional Coordinator or such other
Federal employee as may be designated by the
Assistant Regional Director, Subsistence
Region 7, U.S. Fish & Wildlife Service.

 And 11, Authority: The Council
is reestablished by virtue of the authority
set out in the Alaska National Interest
Lands Conservation Act, 16 U.S. Code 3115
(1988).

 And the date this was signed was
September 26th, 2000.

 Now, what do we need to do with

1 this other than -- do we need to take a
2 motion on it, Ann, to either change,
3 recommend changes, or to accept it as it is?

4 MS. WILKINSON: Mr. Chairman, no
5 action is necessary unless the Council
6 intends to make a change.

7 MR. LOHSE: Do any Council see
8 any areas in this charter that they would
9 like to change?

10 Hearing none, no action will be
11 taken.

12 It's good to review it once in a
13 while so, with that we will now go on to the
14 next section on our agenda, which is
15 reports. And the first report we have is
16 office of subsistence management.

17 Partnership and fisheries
18 resource monitoring.

19 Steve Klein?

20 MR. KLEIN: Thank you, Mr.
21 Chairman. There is a handout on the
22 "Partners for Fisheries Monitoring Program,"
23 and that is at Tab I, and there's also a
24 handout on the back table. I'm Steve Klein,
25 the Chief of Fisheries Information Services,
26 which is within the office of subsistence
27 management, and fisheries Information
28 Services or FIS is responsible for
29 implementing the fisheries resource
30 monitoring program, and yesterday you heard
31 Doug McBride describe accomplishments in
32 2000 and 2001, and also presented
33 recommendations on the monitoring program
34 for 2002. And also we're quite fortunate to
35 have Bill Simeone present some of the
36 findings of the monitoring studies. We also
37 had Bruce from the Native Village of Eyak
38 and Michael Link, and some of the
39 investigations that are being conducted for
40 the monitoring program. We had an
41 opportunity to present some of those
42 findings.

43 Probably the biggest area where
44 we're lacking or we want to improve upon in
45 terms of the monitoring program is local
46 rural and Tribal involvement in the
47 monitoring program. And this was envisioned

1 by the Secretaries of Interior and
2 Agriculture that we would build capacity in
3 rural areas in terms of fishery
4 professional -- professionals,
5 anthropologists, contracts, local hires.
6 That's always been envisioned as a part of
7 the program. And the way we are now
8 intending to implement that is the
9 Department of Fisheries Monitoring Program.
10 Today I just want to provide a
11 brief summary of where we're at with the
12 partners program. There's really no action
13 that the Council needs to take, but we view
14 this as a very important program to get
15 rural involvement in the program -- for the
16 monitoring program, which is your program so
17 we want to make sure that you're abreast of
18 where we're at with this.

19 The Partners for Fisheries
20 Monitoring Program, what we intend to do is
21 hire up to 10 positions with two thirds of
22 those fish geologists and the other one
23 third anthropologists to work for the
24 monitoring program. These would be
25 non-Federal employees. They'll work for the
organization that submits applications and
their functions are really going to assist
with developing projects for the monitoring
program, implementing projects in terms of
the issues and the information needs that
are -- exist within all the different
regions of the state. They'll play a role
in developing those, community outreach and
education. There's a function there. Some
of the results you heard yesterday were
getting -- we're getting those findings out,
but to really get them out in the
communities and let the successes be known,
that's an area we can improve upon.

Training, bringing fisheries --
fishery geologists -- three biologists,
getting them through school and providing
mentoring programs, that will be a function
of these partners' positions.

And then just kind of overall
coordination of management, working with the
Councils, working with my staff within the
monitoring program. And in-season managers,
there's a loss of coordination. That can
occur and these positions will really be

1 critical for that. We're looking to fill
2 ten positions, including Southcentral is one
3 of the areas that is designated as well as
4 kind of the whole Arctic-Kotzebue-Norton
5 Sound, the Yukon River, Kuskokwim River,
6 Bristol Bay and the Peninsula, including
7 Kodiak and Southcentral, so we're looking at
8 all five of those areas to fill positions
9 here as quickly as possible.

10 One area that we're not pursuing
11 positions is Southeast Alaska, and the
12 Forest Service and Department of Agriculture
13 really hasn't been funded to fill partners'
14 positions, so until they're fully funded,
15 we're not looking at Southeast Alaska at
16 this time.

17 In your handout, there is a
18 schedule, and this is the schedule that
19 we're on. We issued a call for proposals.
20 This goes out to lots of rural and Tribal
21 organizations where we're requesting
22 proposals from entities to hire these
23 positions and make them -- make them
24 available for the partners program and the
25 monitoring program.

1 We issued that call back on
2 August 15th and gave them about two months
3 to prepare applications, get letters of
4 support from villages and Tribal groups, and
5 actually we've extended that deadline. It
6 lists that proposals are due to OSM by
7 October 10th. We've changed that to
8 November 10th due to a request from a lot of
9 entities asking for more time to develop
10 cooperative proposals to fill these
11 positions.

12 So, proposals are now due by
13 November 10th. We'll have an evaluation
14 panel meet. Your handout says November
15 15th, we'll be shooting for December 15th
16 now, but the intent is still to have these
17 positions hired and in place with the
18 organizations by May 15th.

19 In terms of mechanics, what we're
20 looking at is five-year cooperative
21 agreements to fund these positions. We
22 really view this as a long-term program and
23 we want to really see that it's the success
24 we envision, we're probably looking 10, 20,
25 30 years down the road. We'll do this in

1 five-year chunks with cooperative
2 agreements, and hopefully by the time the
3 field season fishing season starts next May.
4 These positions will be in place, and that
5 concludes my presentation. I'll be happy to
6 answer any questions.

7 Mr. Chair?

8 MR. LOHSE: Steve, I've got a
9 couple of questions on that. Basically,
10 what this looks like to me is that there's
11 going to be ten positions and after the call
12 for proposals, these ten positions will be
13 with those -- with the -- either the tribe
14 or the village or the organization that gets
15 those positions for the next five years. Is
16 there going to be any opportunity for -- I
17 mean, I don't see anything in here for
18 expansion or for a continued -- so it's
19 almost like the groups that get their
20 proposals in by this November are the only
21 groups that are going to be able to work
22 with this program for the next five years.

23 MR. KLEIN: Mr. Chair, there
24 are -- it would have to be a quality
25 proposal that is funded. If it's a proposal
26 that we don't think is going to be
27 successful, we're not going to go down that
28 path. To me, these positions are something
29 to build upon. I would hope two, three
30 years down the road we're going to -- we'll
31 have some success -- as we have success in
32 these positions, there will be opportunities
33 to get more funding to build more positions
34 and, you're right, I don't think ten
35 positions are going to cover this whole
36 state. I think it's something to build upon
37 and hopefully there will be 20 positions in
38 five years, but in terms of the initial ten
39 that are filled, we will make sure they're
40 quality applicants that will have success so
41 that we can build upon it.

42 Mr. Chair?

43 MR. LOHSE: Thank you, Steve.
44 One other question. Where it says the
45 applicants are the village or the tribe or
46 the community that makes the application --
47 am I correct? That's the applicants?

1

MR. KLEIN: That's correct.

2

MR. LOHSE: Then it says they'll hire a professional fishery biologist or social scientist. Are we hoping that they can hire from their own community, I mean from kids that have gone to school or something like that, or are they going to be expected to hire fishery geologists or social scientists from out of the community?

7

MR. KLEIN: Mr. Chair, ideally, we would want them to come from within the community and I think we will see some proposals like that. Otherwise, they will go to outside entities to really -- to get a fish biologist or social scientist.

10

Another part of this program is the internship program. They'll be required to bring either undergraduate or graduate students in as interns during the summer or during the whole year so that we are bringing people up through the system to have what you envision there, people from the local community hired as professionals for the village or the Tribal organization.

14

Mr. Chair?

15

MR. LOHSE: Thank you. Thank you, Steve.

16

Any questions for Steve? Any other questions for Steve on this?

17

Thank you, Steve, I don't hear

18

any -- Roy?

19

MR. EWAN: One question quick, that is you mentioned ten, possibly ten positions being filled and you mentioned five geographical locations or areas. Are you going to try to give equal opportunity to those geographic areas to get those people, or just these ten people are going to all five geographic areas. I didn't quite understand that.

23

MR. KLEIN: Mr. Chair, and Roy, I probably glossed over that real quickly.

25

Each region, we're trying to get the applicants to represent the whole region,

1 either with the fish biologist or
2 anthropologist. In your case it would be
3 Southcentral which will cover Prince William
4 Sound, Cook Inlet. Ideally, they'll
5 represent the whole region. They're
6 certainly not going to represent the whole
7 state, but we also would take applications
8 from a portion of a region. But we want
9 them -- they are geographically based.
10 They'll either represent the whole region,
11 Southcentral Region, in your case, or a
12 portion of the region; and in terms of
13 ranking those, we will give higher priority
14 if they're going to represent the entire
15 region given we have limited funding. To
16 cover all of Southcentral, the region you
17 have, I mean, you probably, ideally would
18 really want three or four positions to
19 really build capacity and improve the focus
20 of the monitoring program. But we don't
21 have money to fund three or four positions
22 in Southcentral, if that answers your
23 question, Mr. Chair.

13 MR. LOHSE: Thank you, Steve. I
14 think one of the things -- there's five
15 geographic areas represented and there was
16 going to be ten positions, and I don't know
17 if that's what Roy was asking, but that was
18 the same question that I was thinking, are
19 we going to try to divide those ten
20 positions into the five geographic areas, or
21 are we going to take the ten best proposals
22 even if five of them come from one region?

18 MR. EWAN: Mr. Chairman, that
19 pretty much was my question, but I also
20 asked whether we're talking about the ten to
21 assist all of them -- all the areas, you
22 know, there's five proposals -- are you
23 saying that you can fund only one? Or can
24 you fund all five geographic regions'
25 proposals?

23 MR. KLEIN: Mr. Chair and Roy, we
24 will fund up to ten positions -- this is
25 unchartered territory, but at least in my
26 opinion we would try to get at least one
27 position in each of the five geographic
28 areas and then that still leaves up to five

1 more, and -- I think our intent is to go
kind of the way -- FIS projects are
2 disbursed so the Yukon and Kuskokwim River,
it seems there's more projects implemented
3 there. There's more controversy. There's
more subsistence needs that aren't being
4 met. I would suspect that the Yukon and
Kuskokwim would have more than one position,
5 but at least in my mind, we will try to get
one position in each of the five geographic
6 areas and then probably select the top five
after that.

7
MR. LOHSE: Thank you, Roy.
8 Any other questions for Steve?
Thank you, Steve.

9
MR. KLEIN: Thank you.
10 Federal/State relationships. I
think we've seen you before.

11
MR. PROBASCO: This is the last
12 time. I'm a Federal employee.

13 (Laughter.)

14 MR. PROBASCO: Mr. Chair, this
will be very brief. It's to bring the
15 Council up to speed and up to date on the
Federal/State Coordination. And if you look
16 under Tab I, page 2 you'll see the written
summary. During the February/March 2001
17 Regional Council meetings ADF&G found it
necessary to significantly reduce their
18 involvement in Council deliberations due to
the lack of Federal funding for staff
19 resource. Moreover, State resource
professionals were unable to continue to
20 participate in the Federal/State memorandum
of agreement working group efforts to
21 develop protocols.

In May, funding issues were
22 resolved for the balance of the calendar
year. Additional funding for liaison and
23 staff support for overall coordination and
cooperation is a high priority for the
24 Federal subsistence program. We anticipate
additional funding to be available to the
25 State for such support in 2002 and beyond.
We are again engaged in full

1 coordination. And recent discussions with
2 both Federal Subsistence Board Chair Mitch
3 Demientieff and ADF&G Commissioner Frank Rue
4 reaffirmed full support for continuing
5 coordination and cooperation between Federal
6 and State programs. ADF&G are here in
7 attendance and the working group at the end
8 of August to address how to get the
9 protocols back on the track. By the time of
10 February and March of 2002, we hope to
11 provide you with a schedule to complete the
12 protocols.

13 Mr. Chair, both the Federal,
14 State and Federal side MOA group met again a
15 week ago and we are on track in developing
16 protocols and hope to have action taken on
17 them in April and May.

18 Mr. Chair?

19 MR. LOHSE: Thank you. Any
20 questions for Pete?
21 Fred?

22 MR. ELVSASS: The protocol you're
23 developing, is this for Federal/State
24 management of Federal lands or all lands?

25 MR. PROBASCO: Mr. Chair, Fred,
very good question. Actually there's a
multiple of protocols being developed. One
definitely addresses fishery management
plans and specifically they're working on
various management plans for specific river
drainages. For example, the Yukon is the
first one that they're undertaking which
will address how the State and the Federal
agencies will work together to the best that
the regulations allow them to on managing
these fisheries.

The next in the hopper for
management would be an overall umbrella
protocol called "State Fishery Management
Protocols." However, both the size of the
M -- sides of the MOA group view that
possible -- there is no guarantee, but this
is one that was discussed, the Copper River
will be very similar to the Yukon protocol,
very major river with many users and Federal
and State lands as well.

Other protocols being developed

1 on how to coordinate the two regulatory
2 bodies, the State Board of fisheries and the
3 Federal Subsistence Board that's being
4 working on and how to share information.
5 The State of Alaska has a lot more data on
6 fisheries and harvests and uses, et cetera,
7 and the Federal Government needs that
8 information to successfully carry out their
9 program for development of a protocol, how
10 to share that information.

11 Mr. Chair?

12 MR. LOHSE: Thank you.
13 Any other questions?

14 MR. ELVSASS: Yeah. We have a
15 terrible situation in Cook Inlet because of
16 the State lands and then throughout the area
17 there are several small personal use
18 fisheries, the south end of the Kenai
19 Peninsula. What I view as the ideal
20 situation is if we could get a co-management
21 program working, maybe after you get the
22 protocol that could be addressed, but the
23 Cook Inlet area as a whole, the Cook Inlet
24 drainage in the Kenai Peninsula needs to be
25 looked at as a whole not in little segments
like it is today. We have right now a
fishery in Seldovia for 200 kings, but
everybody in Alaska that's a resident, rural
resident or just a resident could come and
fish there. And that really doesn't do the
area any good. But, you know, that's what I
would like to see worked out is where we can
get the Tribes and Federal Government and
the State of Alaska at the same table to
look at the fisheries area as a whole,
which, I guess, when you work on the Yukon
drainage you're certainly going to have a
lot of Tribal input there. But I just
wanted to state that and see what are your
thoughts.

26 MR. PROBASCO: Mr. Chair, Fred,
27 the MOA group consists of 11 individuals and
28 what you identified is a task that
29 definitely will be undertaken but it's down
30 the road. You can imagine that trying to
31 address the entire state is not going to
32 happen overnight, so it's done in a stepwise

1 fashion. Yukon definitely has been the most
2 contentious issue because of lack of salmon,
3 et cetera. That's obviously the first one
4 taken on.

5 Our priorities will lay out in --
6 how priorities will lay out in future years
7 will be based on those 11 individuals
8 working out and deciding where we should put
9 our emphasis on other river drainages. Cook
10 Inlet is definitely an area that is not
11 going to be overlooked.

12 Mr. Chair?

13 MR. LOHSE: Thank you Pete. Any
14 other questions?
15 Roy?

16 MR. EWAN: Mr. Chair, I don't
17 know if it's a proper time, I recall hearing
18 Charlie Edwardsen, the guy that testified
19 yesterday, the three-mile limit beyond that,
20 200 mile limit, something about subsistence.
21 And is this something that we should know
22 about or be concerned about? I could see
23 his point now that I know up there in the
24 Arctic they go way out on the ice way beyond
25 the three-mile limit. I hope there is no
restriction on their ability to subsist
there. I don't know why he made that
comment. I was just wondering if anybody
ever talked about that?

MR. LOHSE: Pete?

MR. PROBASCO: Mr. Chair, Roy, I
too was confused about the comment, three
miles and beyond it 200. I wouldn't want to
guess the point he was trying to make. As
far as up North and the Arctic, there is no
restrictions on their ability to subsistence
harvest beyond three miles if they so
choose.

Mr. Chair?

MR. LOHSE: Thank you, Pete.
Any other questions?

Thank you.

Okay. I think Carl,
compensation.

1 MR. JACK: Mr. Chairman, members
2 of the Council, it's been put on the table a
3 copy of the letter or rather a memorandum
4 from the Chairman of the Federal Subsistence
5 Board to the Secretary of Interior on the
6 compensation issue. As you will note in the
7 letter, it's dated October 2. We drafted
8 the letter back last spring and it went
9 through a lot of reviews going back and
10 forth within -- within OSM. Recently, the
11 staff committee reviewed the letter and as
12 well as the people from the solicitor's
13 office. What you have is the final -- final
14 document that resulted from all the reviews.

15 The request for compensation
16 focuses on 805, Section 805. As you will
17 note on the first page, it cites Section 805
18 establishes a unique standard of deference
19 for the recommendations of the regional
20 Advisory Councils and the -- and the public
21 law, it's phrased there.

22 Secondly, it also addresses on
23 the second page, the unique level of
24 responsibility of the Regional Advisory
25 Councils, and also paraphrases what's in
your charter that you reviewed earlier.

26 And it also addresses the fact
27 that the statutory responsibility of the
28 Regional Advisory Council has increased
29 substantially with the expansion of the
30 Federal Subsistence Management Program to
31 include subsistence fisheries since October
32 of '99.

33 The initial draft focused
34 primarily on Section 805, and it was felt
35 that during the review that we should not
36 put everything in one basket so to speak on
37 805. So additional justification was added.

38 That's on page 3. The fact that Congress
39 recognized the value of subsistence users
40 that should be included in the management
41 decisions. The fact that the users through
42 the Regional Advisory Council bring their
43 expertise and knowledge -- to add to the
44 scientific method of fish & wildlife
45 management. So, this is for your
46 information. It does not require action
47 from the regional -- from the Regional
48 Council. It's provided for your information
49 and it has been mailed today.

1 That concludes my presentation,
2 Mr. Chairman.

3 MR. LOHSE: Thank you, Carl.
4 It's a very well-written letter.

5 MR. JACK: Thank you. Attached
6 to that is the fiscal -- fiscal notes that
7 are attached to the....

8 MR. LOHSE: I think you've
9 expressed a lot of the things that have been
10 expressed time and time again by Council
11 members very well. The lost opportunities
12 for either wages or subsistence activities
13 or whatever that are taking place because it
14 is a totally different situation than they
15 have down in the Lower 48.

16 Has everybody had a chance to
17 look this over, read it?

18 MR. JOHN: Yes.

19 MR. LOHSE: Did anybody have
20 anything they wanted to add to it, or do you
21 think they did a good job doing it?

22 MR. JACK: Mr. Chairman, this is
23 not the first time the requests have been
24 made, and it's not been approved by the
25 previous Secretaries. Hopefully this letter
26 will convince the Secretary to provide
27 compensation for the members.

28 MR. LOHSE: I haven't got much
29 confidence in that part, but I do say that
30 this is the best -- the best and most
31 compelling letter or thing that we've
32 submitted, you know, from the past. So, you
33 know, like I said, I don't have a lot of
34 confidence that the Secretary will go along
35 with it, but at the same time I think you
36 did a good job in the way it's being
37 submitted.

38 MR. JACK: Thank you.

39 MR. LOHSE: Is that in
40 concurrence with the rest of the Council?

1 MS. SWAN: Yeah.

2 MR. ELVSASS: Yes. Very good.

3 MR. LOHSE: Maybe we need to each
write him an individual letter.

4 Okay. With this we're going on
to halibut, the little short one on halibut.

5 Oh, Pete -- okay. I was looking
at this one right here. So if you guys want
6 to look at the halibut there, it's on page 3
in the section that we're in and you can
7 look at that as individuals. He did point
out that everything is on hold right now.
8 Everything's on hold right now until the
National -- North Pacific Fishery Management
9 Council makes a decision, but some of the
provisions of the draft regulations were
10 kind of interesting, and you might want to
take a look at those for your own
11 individual -- it seems the last two that
were kind of interesting, no

12 subsistence-taken halibut could be retained
on the vessel at the same time as commercial
13 halibut are being retained and no
subsistence-taken halibut could enter the
14 commercial market and customary trade of
halibut would be limited to an annual
15 maximum of \$400. They did limit that to
halibut.

16 With that, we're going on to the
Bureau of Land Management.

17

MR. DENTON: My name is Jeff
18 Denton. I represent the Anchorage field
office of the Bureau of Land Management.

19 I'm not in the position to speak for the
folks at Glennallen, where probably most of
20 you have more issues with BLM. This is kind
of an update and kind of the initial
21 information process. We're going to
start -- BLM, the Anchorage field office, is
22 starting what we call a resources management
plan that covers actually an area that spans
23 portions of four subsistence regions. One
of which is the Southcentral; and the areas
24 of the Anchorage field office managed within
Southcentral consists mostly of basically
25 the leftovers, the rocks and ice, the
military reserves, scattered tracts, and

1 split mineral estate in the Mat-Su and
around the Cook Inlet.

2 The major subsistence areas that
are available under the definition of
3 Federal public lands are west of Cook Inlet,
the Chakachamna Lake area of the Alaska
4 Range and Blockade Glacier, Blockade Lake,
which is also kind of a rocks and ice area
5 over back on that side.

This is an initial information
6 thing. You folks will all be put on a
mailing list for the mailings of input
7 should you choose to have input either
personally or from the folks you represent
8 or from the Council. This time line for
this thing is going to extend probably over
9 the next four years in terms of input and
this sort of thing. So there's lots of
10 time. Subsequent meetings to this one we
will try to give you very brief updates on
11 that activity. Subsistence will be one of
the items that has to be covered within
12 these land use plans. Other than that, we
don't have any real current subsistence
13 issues within the Anchorage field office
administered lands at this time.

14 Mr. Chair, that concludes
basically all I have right now. If there's
15 some questions, I will be certainly glad to
entertain them.

16
MR. LOHSE: Thank you. I take it
17 for granted you probably read the National
Geographical article on BLM?

18
MR. DENTON: Yeah.

19
MR. LOHSE: It was kind of
20 interesting what you spend per acre versus
what Forest Service spends per acre. It was
21 very informative. BLM spends off the top of
my head I'll say, \$3 an acre. Forest
22 Services spends \$7 and Parks Service spends
\$12.

23
MR. DENTON: In Alaska we have
24 one person for every million acres.

25
MR. LOHSE: Just don't run up the
bill by writing on too much paper.

1

MR. DENTON: Cut more trees.

2

MR. LOHSE: Okay. That was not a slam on the other departments. That was just a commentary on the thin budget the BLM has to work on.

3

Okay. I have National Parks Service, Wrangell-St. Elias.

4

MR. VEACH: Mr. Chairman, Eric Veach with Wrangell-St. Elias. Let me start out by denial, I may spend \$12 an acre. Our parks certainly do not.

5

MR. LOHSE: You spend 18, right?

6

(Laughter.)

7

MR. VEACH: I'll present both the overall park report followed by my fish report and then I'll pass the mic to Mason Reid to provide a wildlife report. We spent a lot of time working on section 17(b) east lands into the park and preserve. Our primary goal is to maintain access to public lands and we're definitely anxious to hear comments about historic use of 17(b). We're doing the best to document past use.

8

We've had several new staff to the park in the past six months or so. We have a new wildlife biologist, Mason Reid, who will follow me. Arvid Hogstrom, introduced himself earlier, Australian exchange program. We sent our geologist, Andy Rosencraft, to Australia. We're still looking for a cultural anthropologist. He returned to his clan members and left us.

9

We're looking at filling that position soon. I've been fortunate enough to add two more fisheries geologists to my staff, Milo McCormick and Sandy Scott.

10

The visitors should be ready to move in this spring. We've had some construction problems, a few problems with the water system. The out -- most of the outside is done, and they're working on the inside over the winter.

11

I want to share a few notes about SRC workshops. We also discussed a

1 regulation that would require a minimum
2 residency requirement in a resident-zoned
3 community to participate in subsistence
4 activities on the park. With the Wrangell,
5 SRC is discussing a minimum of one-year,
6 continuous residency. Right now there's
7 definitely a concern that folks may move
8 into a resident-zoned community, say in
9 early August and that makes them eligible to
10 hunt later that month. They stay until the
11 end of the hunting system. They return to
12 Anchorage or Fairbanks. The way the
13 regulation is written currently there's
14 nothing that prevents them from being able
15 to do that and legally hunt. So the minimum
16 of a one-year continuous residency
17 requirement would help alleviate that. A
18 person would have to move in the community,
19 spend a year there before they could
20 actually hunt within the park.

21 We also discussed the concept of
22 a National Parks Service roster where we
23 actually document individuals within each
24 community that possess customary and
25 traditional use for the resources within the
park, and the park -- basically the overall
consensus of the group was that the park
would still like to stay away from that
situation because of the tremendous amount
of work and it's just not something we
really need to -- see the need for at this
point.

26 We're also in the process of
27 actually publishing the final draft rule to
28 add the five additional resident-zoned
29 communities to the park. There was some
30 environmental assessments that were created
31 a few years ago and made the decision to add
32 the communities, and it's taken this long
33 from making the decision to publishing the
34 document in the Federal Register.

35 Next meeting will be in Chitina.

36 We haven't set a date yet, but it's going to
37 be some point in February.

38 I'd like to move into a summary
39 of our fisheries work that we completed this
40 summer in this field season. At -- really
41 at the start of season it was towards the
42 end of April, we received a request to close
43 the commercial hooligan fishery at the Mile

1 27 Bridge in the Copper River and this
2 request was from the Native Village of Eyak
3 and essentially, probably the biggest part
4 of their concern was we really didn't have
5 enough information to effectively manage a
6 commercial hooligan fishery within the
7 Copper River; and certainly when I received
8 the request, my first response was you're
9 definitely right. I wasn't aware that we
10 had a commercial hooligan fishery in the
11 Copper River until I received a request to
12 close it. We worked with ADF&G and OSM
13 staff here in Anchorage to analyze the
14 effects of this fishery on hooligan, and you
15 folks probably know about hooligan.
16 They're -- they're definitely a difficult
17 species to manage. They're not necessarily
18 like salmon, that salmon essentially return
19 to their native areas to spawn. The same
20 population returns every year or four years
21 to spawn in the same area. Smelt don't
22 necessarily do that. Just because you have
23 a strong population in a system one year
24 doesn't necessarily mean that after the
25 progeny have reared into the adults and run
26 to spawn, they won't necessarily return to
27 the same area to spawn. The fact they're
28 not returning doesn't necessarily mean the
29 population is weak. It means the population
30 has gone somewhere else, presents a little
31 challenge to fisheries managers.

32 Essentially what we looked at is
33 we wanted to take a look at the effort in
34 this fishery. We felt if the effort was
35 low, it would be difficult to harvest the
36 hooligan. That was the best toolbox we had
37 at the time to evaluate the fishery. We
38 hired a local hire, woman in Cordova. I
39 also traveled to Cordova, spent a few days
40 monitoring the fishery. It's a small
41 fishery that occurs right underneath the
42 Mile 27 Bridge on the Copper River, three or
43 four individuals with dip nets dipping fish
44 off of one bank of one channel and those
45 fish are placed on kind of a conveyer belt
46 and essentially carried up into a tote in
47 the back of the truck and transported to the
48 cannery.

49 But at the Mile 27 Bridge,
50 there's three channels present there, and so

1 we felt that with the small amount of effort
and like I said -- there was hooligan
2 present in each of the channels, and the
small amount of effort that occurred with
3 just three to four individuals fishing on
one bank at a time, they certainly weren't
4 able to fish anywhere near 24 hours a day.
We didn't feel that that level of effort
5 really put the fishery at risk. So we made
the decision to keep the fishery open. The
6 fishery lasted about 14 days and harvested,
I believe it was approximately 78 tons of
7 hooligan.

But on the other hand, I just
8 wanted to mention we did still think that
the concern as presented was valid. It
9 certainly -- it was -- as we observed the
fishery, it was enough of a concern. It was
10 worth our time and effort to monitor the
fishery and we intend to do the same thing
11 again this year.

With that, I'll move on to our
12 steelhead monitoring project Doug McBride
mentioned yesterday. I think Doug kind of
13 really explained the project, essentially
involves operating fishwheels on the Copper
14 River in the Glennallen Subdistrict early in
the season, basically when the Federal
15 season is open to estimate the amount of
steelhead harvest. We did have two wheels.
16 We had a little trouble early in the season
with ice coming down the stream and also
17 with muddy access. We thought that was
pretty representative of probably what the
18 rest of the users were facing at the same
time. It was definitely difficult to
19 operate a fishwheel early in the season.
May 20th, May 23rd, we were able to get the
20 wheels in. We didn't catch any steelhead in
either of the fishwheels. We felt this was
21 a pretty good sample. We operated two
wheels; we flew the river three times to
22 count the number of wheels operating during
that period. The highest number of wheels
23 operated at any one time was four wheels.
We were sampling 50 percent of the wheels in
24 the Copper. The fact that there is none,
represents that there is essentially not any
25 problem with the steelhead by extending the
situation by two weeks. That project is for

1 another two weeks. We're doing it this
2 spring and next spring as well to see if we
3 have similar results.

4 Another project I wanted to brief
5 you on is our Tanada Creek weir project.
6 Doug mentioned that project yesterday. This
7 year the return to the Tanada Creek weir was
8 256 salmon. This is the fifth year that a
9 wheel has been operated on Tanada Creek.
10 There's been done -- certainly not one every
11 year, but on a pretty regular basis from
12 1962. Presenting the weir counts and the
13 aerial counts, it was potentially within the
14 lowest 10 percent of runs occurred in that
15 system since about 1962 which is a little
16 bit of a concern to us in that, you know, we
17 heard earlier this morning, there was at
18 least an average if not above average return
19 to the Copper River this year, based on the
20 sonar estimates. Certainly in Slana River,
21 downstream from Tanada Creek there appeared
22 to be average return of fish. We don't
23 really know what caused a very low run at
24 Tanada Creek. Certainly several
25 possibilities, kind of a representation of
how many variation do occur within that
stock. In the past we've seen as many as
28,000 fish that have escaped up Tanana
Creek.

Another project that we are doing
that wasn't directly related to subsistence
but it's certainly provided some additional
information, in managing subsistence in the
future, particularly in regards to
freshwater fish, the inventory program, went
across the park looking at distribution of
freshwater species throughout the park. We
were able to sample about 14 different
watersheds. We used a variety of methods,
gill nets, electrofishing, hook and line
sampling in both streams and river. We did
find one range extension which is a prickly
skulpin. That species hadn't been
documented in that land appraisal that we
expected to be in the park that hadn't been
able to be documented. We were really
pleased with the success of that project as
well.

Mr. Chairman, that concludes my
report.

1 Any questions for Eric?
2 Fred?

3 MR. ELVSASS: The hooligan
4 fishery, I wasn't aware there was a
5 commercial fishery. Has it been going on
6 very long? Do you know?

7 MR. VEACH: It has been -- I
8 think this was the third year that there's
9 been a commercial fishery there. It's
10 really -- it's a commercial fishery, but
11 it's also a test fishery utilized by ADF&G
12 to try and gain additional information on
13 the hooligan stock in Copper River.

14 MR. ELVSASS: 68 tons is a lot of
15 testing.

16 MR. VEACH: Actually around 78
17 tons.

18 MR. ELVSASS: You're right. Some
19 years, they're there, and some years they're
20 not.

21 Thank you.

22 MR. LOHSE: Thank you, Eric, I
23 have just a couple of questions -- go ahead,
24 Fred.

25 MR. JOHN: You know, I missed the
Commission meeting last week at Mentasta
after I invited you guys up, but I had a
good excuse.

You guys discuss anything about
the road down that way? We showed a movie
on this last year about having a trail from
the Tribal Council, and that road there that
we use, you know for our culture camp, we're
doing the same thing to that road. We
showed what's being done to the trail in
that movie and I was wondering if they
started on grabbing into -- the progress?

MR. VEACH: We didn't actually.
It's interesting, we didn't actually discuss
that at the Subsistence Resource Commission
meeting. I'm surprised we didn't now that
you bring that up. We are still in the

1 process of deciding what would be the best
2 approach for that trail. We looked at
3 graveling just the entire trail, which is
4 actually going to be tremendously expensive.
5 I definitely learned quite a bit about trail
6 construction across Tundra 46 type terrain
7 as part of this project. We'd be looking at
8 several hundred thousands to gravel it. In
9 the process, too, we have to carve openings
10 to probably turn around a dump truck and
11 some of the concern with that, essentially
12 by doing this, we'd be building a road into
13 that site which might increase the use.
14 That doesn't necessarily seem to be the best
15 option. What we've been looking at instead
16 is more of a site -- some sort of
17 site-specific graveling, identify the real
18 problem spots and maybe go in and lay down
19 shoal textile-type cloth and place some
20 gravel on top of it, so the boggy areas are
21 protected and not additional damage there,
22 but it would remain a rugged basic trail and
23 wouldn't attract a lot of additional use.
24 We're working on an environmental assessment
25 for that. The only other information I have
on that, it's sort of fallen to the side
just with all the work that we do for the
field season. Now we're back in the fall
season. Folks are typically back in the
office. We'll be picking up on it and
working again with it through the fall.

17 MR. JOHN: Thank you.

18 MR. LOHSE: Eric, I have two
19 comments: One is on the roster idea. We
20 just went through some of the comments on
21 names on fishwheels and one of the things
22 that I could see would cause a real possible
23 problem would be to have a roster of names
24 of people who are allowed to hunt inside of
25 a National Park. I can imagine certain
groups getting ahold of those -- because
once you've made the roster, it becomes
public property under the Freedom of
Information Act, and I can see certain
groups getting ahold of that and just
causing people a lot of grief, because even
the idea of subsistence hunting in the park
is not well accepted in a lot of areas, and

1 so if you had a roster of people who are
2 qualified to hunt there, that would invite
3 all kinds of -- who knows what it would
4 invite, but it wouldn't invite anything
5 nice.

6 MR. VEACH: I definitely agree.

7 MR. LOHSE: From that standpoint,
8 about the time they were talking a roster, I
9 think there would be a real lot of objection
10 from the community at large because of fear,
11 exactly that.

12 I hope I never see you having to
13 do that. At least not that kind of thing.

14 The other thing is I heard 78,000
15 tons of hooligan and I can understand that.
16 I'm not sticking up for the hooligan fishery
17 or anything like that, but if you come from
18 most areas of the state and haven't seen the
19 hooligan that come in the mouth of the
20 Copper River, 78,000 tons --

21 MR. VEACH: 78 tons.

22 MR. LOHSE: I was thinking a
23 thousand pounds. 78 tons sounds like an
24 awful lot of fish, but when you go down
25 there for two to three weeks straight and
26 you see them coming up in a black streak
27 along one stretch so thick that they're
28 pushing themselves out of the water and you
29 see three guys down there with dip nets
30 taking a dip out of them every so often,
31 it's hard to think of them as very many.
32 The dead ones pile up five, six feet deep
33 out of the mouth of the bottom. You put a
34 net where the hooligans pile up. It's
35 amazing the biomass. I'm not saying it's
36 unlimited. I'm not saying 78 tons is a good
37 or bad catch, but it's still one -- it's one
38 of the areas in the state that has hooligan
39 like there must have been in the old days.

40 MR. VEACH: I definitely agree.
41 I didn't mention the nests that they -- nets
42 these individuals are using. They're not
43 nearly as large as what you would typically
44 use to dip net salmon. With three or four
45 folks, the fact that they could dip 78 tons

1 in that sort of time period to me suggests
2 there's a tremendous biomass, at least this
year, on that stream.

3 MR. LOHSE: Very small nets for a
4 simple reason. The simple reason is when
you scoop them through you can't pick them
5 up if they're any bigger. It's that much --
it's that many fish.

6 MR. ELVSASS: They gill in your
7 dip net too. You're in trouble and have to
clean the net holes.

8 MR. LOHSE: Most of the nets are
15 inches in diameter, and quarter-inch mesh
9 and it's amazing. We go down to get a pail
full of hooligan, it takes two dips and it
10 gives you five gallons of hooligan to take
home. It's an amazing sight to see. They
11 can see the seals and osprys that come and
see them.

12 So, with that, any other
13 questions for Eric?

MS. SWAN: How is the 20-Mile
14 River hooligan? Do you know? Do you have
any information over by Portage? Do you
15 know anything about that?

16 MR. VEACH: No, I don't.

17 MS. SWAN: I just wondered how
18 that was this year.

MR. VEACH: I might defer that to
19 the Forest Service. I was a little out of
my range being out of the 27-mile bridge.
20 It's simply because it's the Copper River.

21 A SPEAKER: I'll report on that
shortly. Lohse, that takes care of
22 everything except for the Forest Service.

23 MR. LOHSE: The game report from
Wrangell-St. Elias.

24 MR. JOHN: Break.

25 MR. LOHSE: Let's take the --

1 MR. REID: Mason Reid, I'm the
2 new wildlife biologist for
Wrangell-St. Elias. I've only been here two
3 months. It's a very learning experience.
One of my basic priorities, my highest
4 priority is to both evaluate the assessment
of population status for a variety of game
5 species and then also to try to do a
detailed analysis on the harvests within our
6 boundaries, both subsistence harvest and for
sport harvest. That way I can get together
7 adequate information to properly manage
these populations which I think some of the
8 information has been lacking, and I hope to
improve on that. As I said, it's one of my
9 primary priorities right now.

Eric mentioned earlier, we have a
10 graduate student from the University of
Alaska, Fairbanks that is beginning a Dall
11 sheep habitat project. Right now she's
looking at habitat relationships of Dall
12 sheep and relating that to population
densities, sites, things like that. That's
13 going to give us some information on both
just biology of the species as well as
14 additional information on habitat types and
qualities so we can better assess the
15 population. That's basically it for right
now.

16 I'm sure I'll have more in the
spring.

17 MR. LOHSE: Any questions?

18 There's some -- three other
things you better look at for Dall sheep
19 other than habitat, bear population, wolf
population, coyote population. If you look
20 at the whole range, the tremendous drop of
Dall sheep populations where they haven't
21 been hunted, you look at lamb survival,
things like that, you'll find basically
22 they're doing the same thing that our
caribou are doing and our moose are doing
23 there. We have no recruitment. We have no
recruitment on moose, no recruitment on
24 caribou in that section of Unit 11.

25 MR. REID: Yeah, one thing I'll
be doing is looking at over 50 years of

1 survey data for Dall sheep through the area
2 primarily of Unit 11. Looking at the value
3 of that data, there's been different efforts
4 involved, and also the results of that
5 information, classifications, land use,
6 ratios, as well as population sizes, and
7 also the spatial distribution of these
8 populations to -- try to get an idea of what
9 kind of handle we have on these populations.
10 And prey assessment, that's something else
11 we're looking at. And right now we're
12 looking at what's possible, what's doable
13 and anytime you're looking at large species
14 like that.

15 MR. LOHSE: Not much?

16 MR. REID: Only so much you can
17 do. That is something that I'll be
18 assessing all this winter and trying to get
19 together some ideas for next year, and
20 directing the entire wildlife program at the
21 park.

22 MR. LOHSE: It's interesting
23 because where we're losing our Dall sheep
24 the most are not in the rugged mountains,
25 but any of the mountainous areas that are --
shall we say -- with less escape territory
where we have more predator problems.
That's where our Dall sheep populations are
just crashing.

MR. REID: One way of coming to
grips with that, not so much in coming to
grips, hallucinating potential impacts and
looking at the data we have and involving
what mechanisms we have in directing that
population in that area.

MR. LOHSE: Thank you.
Roy?

MR. EWAN: I just wanted to
comment. I didn't have a question. I
guess, Ralph, you were around when we first
began the Regional Council meetings and so
was I, and I said at the very first meeting,
I said at many subsequent meetings that we
had a problem with predators over in the

1 Wrangell-St. Elias National Park. We're
2 talking about it yet today, nothing is
3 happening -- happened. I'm glad we are
4 talking about it. I think it's a serious
5 problem. It's a hardship on the people in
6 the Copper River area, causes a hardship on
7 the people, because we just let the wolves
8 do what they want to over there. It has
9 been like a sanctuary for wolves. The
10 caribou population really went down over the
11 years, since, say, about the middle '60s,
12 drastically. I'm talking about practically
13 zero now. You might see a moose here,
14 there, when you used to see a lot of moose
15 over in that area. In fact, a place that I
16 hunt every year was called the moose camp.
17 This year I didn't see a moose around there.
18 When I first went there 15, 16
19 years ago, we'd see caribou walking by every
20 day. Today you wouldn't see one caribou,
21 and I kept saying year after year, the
22 wolves are coming in the area, and you hear
23 them hollering down here, over here, there
24 at night, and we knew, the local people knew
25 they were out there in the woods that that
was the reason why the caribous were
disappearing, because we see evidence of
them killing the caribou along the creek
beds, everybody, blood splattered all over
the place, moose kills here and there.
I don't know what's going to
happen in the future, but I just don't like
the idea. I lived here all my life and that
the bureaucrats let something like that
happen. It just poor management, in my
opinion.
Since this is my last meeting, I
want to say that totally, I think it's very,
very poor management that you allowed the
moose, caribou, sheep to decline, the
population to decline so badly when there's
hardly any hunters over there. When there
was a lot of hunters over there back in the
'60s a lot of sheep, a lot of caribou, a lot
of moose over there, enough for everybody.
It's too bad today we have -- I can't get a
moose over there, can't get a moose along
the highway out there anymore. I go over
there where it's so few people, you can't
get a moose there or caribou or a sheep.

1 Thank you, Mr. Chairman.

2 MR. LOHSE: Thank you, Roy. That
3 was brought to my attention also by another
4 family from Copper Center that goes over
5 there and they've gone to the same place for
6 about 20 years and they said that about five
7 years ago they quit seeing cows. And now
8 they don't even see any young bulls. If
9 they do happen to see a moose, it's an old
10 mature bull. They did get an old mature
11 bull this year. It was still healing up
12 from its encounter with the bear. The hide
13 was still torn out on the side of the neck
14 and it had claw marks going down the
15 shoulder. They figured probably they're not
16 going to see much in the future. The game
17 biologist over there says he just does not
18 see any recruitment. There are no calves.

19 So, I know there's nothing that
20 can be done about it. I guess we just like
21 to put it on record, but it's going to be
22 interesting to see what you find out on the
23 sheep, because -- sheep, we've seen the
24 sheep go down in our area. It's not wolves.
25 We have a lot of coyotes living in our area.
26 We used to have a range of hill that also we
27 could count 2 to 400 sheep right close to
28 home. It's 25 right now. They sure try to
29 stay in the most rugged area, that you can
30 say. In the wintertime, you find coyote
31 skat with sheep fur. Some of us like Roy
32 and I were lucky enough to be here in the
33 years following statehood when the results
34 of the U.S. Fish & Wildlife Services
35 Predator Control in the late '50s were still
36 being set in the area. I can remember --
37 this is no joke, flying from my house to
38 Mount Drum counting 227 bull moose in one
39 flight along timberline to Mount Drum from
40 Long Lake. We never bothered to count a cow
41 or calf. We didn't count small moose. We
42 weren't hunting -- these were bull moose we
43 could spot from the air by the horns sitting
44 out there. I would challenge you to fly
45 that distance today and count ten total.

46 I would challenge you, the
47 mountain across from our house right there,
48 we counted 11 full-curl rams on there at one
49 time. 3 to 400 sheep. I would challenge

- 1 you to count 30 sheep on that range. I
mean, they're not there.
- 2 And, you know, I'm not advocating
it, but I know it was a result of what went
3 on by our Fish & Wildlife agent that was
stationed out of Chitina back in the '50s,
4 and his work in the Wrangells right there.
We had a low predator population, but we had
5 a high ungulate population. I'm not saying
that's what we should have. The effect on
6 the local people is dramatic.
- I mean, we have probably less
7 moose in the whole area than I counted bulls
in one flight. And so it's had a dramatic
8 impact. Roy is right. Roy has said it
since he was on this Council. And we put
9 implications -- we put regulations on the
Mentasta herd. Mentasta herd was going
10 down, we quit hunting on it. We put in a
Mentasta herd plan, when it built up to a
11 certain level, we have subsistence hunt on
the Mentasta herd. There has been no
12 subsistence take on the Mentasta herd. It's
gone down downhill all the time. Like Roy
13 says, we don't continue to get recruitment.
The cows, the animals that are left are
14 mature, unless there's a big influx. The
Mentasta herd is going to be a thing of the
15 past.
- So, anyhow, enough said on that.
- 16 We've said it before. We've said in our
annual reports, and we're not -- we're not
17 anti-wolf and anti-bear or anti-predator --
- 18 MR. ELVSASS: Oh, yes, I am.
- 19 MR. LOHSE: You are, Fred. I'm
not. But subsistence people who want for
20 food are finding them being fed something
else.
- 21 MR. EWAN: We're not anti-wolf,
22 but we're pro moose, caribou --
- 23 MR. LOHSE: That's a good way to
put it, Roy.
- 24 Okay. Thank you.
Forest Service?
- 25 MR. JOYCE: Did you want to take

1 a break?

2 MR. LOHSE: Let's take our break,
3 yeah. That was enough rhetoric to last me
4 for a long time.

5 (Break.)

6 MR. LOHSE: We now have the
7 Forest Service report.

8 MR. JOYCE: Mr. Chairman, members
9 of the Council, my name is Tim Joyce; Ken
10 Holbrook got called away on business. We're
11 kind of new kids on the block as far as
12 subsistence is concerned. As I said, my
13 name is Tim Joyce. I'm out of the Cordova
14 office. I'd like to introduce two other
15 members of the Forest Service. One is Rob
16 Spangler. He was here last year. He now
17 transferred into the subsistence operation
18 or program.

19 The other is Milo Burcham. He's
20 also in the Cordova office, and he also is a
21 subsistence wildlife biologist.

22 As I said my name is Tim Joyce,
23 and I'm a recently hired subsistence
24 fisheries biologist for the Forest Service,
25 which is in Cordova, Alaska. I've been
delegated the in-season manager of Prince
William Sound at this time. Our district
forest ranger has moved. We're in the
process of replacing him, and he was the
delegated manager at that time.

18 I have over 25 years of fisheries
19 experience in Alaska, and I just would like
20 to go through some of the things, the
21 subsistence fishery that occurred in some of
22 the Prince William area and Copper River
23 flats and talk about a couple of projects
24 that we had ongoing there.

25 The subsistence salmon started in
the marine water off the mouth of the Copper
River at 12:01 a.m. on May 15th and
continued until 7:00 a.m. that same day.
And this -- after this seven-hour initial
open period subsistence opportunities in
marine waters occurred concurrently with the
commercial salmon fishing periods which
started on May 17th and were generally 12

1 hours in duration, two days a week.

2 The subsistence opportunities in
3 the marine waters of Prince William Sound
4 started on May 15th in the Southwestern
5 District which includes the Village of
6 Chenega and in portions of the eastern and
7 northern districts of Prince William Sound
8 which includes the Village of Tatitlek.
9 Subsistence fishing in these areas was seven
10 days a week up until two days prior to the
11 first commercial fishing salmon open period
12 in the districts. After that time,
13 subsistence fishing was concurrent with the
14 commercial salmon open period. Subsistence
15 fishing in what we call the Eshami (ph.)
16 district occurred concurrently with
17 commercial salmon fishing periods which
18 started on May 17th. The numbers of salmon
19 taken from the subsistence harvest in Prince
20 William Sound is not available. The due
21 date is October 31st. We won't have those
22 until the end of the month or shortly
23 thereafter.

24 So far there has been no problems
25 identified by any of the subsistence fishers
in Prince William Sound to me or to any of
my associates for their harvests this year.
It appeared there was adequate numbers of
salmon and their subsistence needs were
satisfied.

16 We had three projects that were
17 conducted this year in Prince William Sound.
18 I'm going to discuss two of them and Rob
19 Spangler will discuss another one.

20 The department -- excuse me, all
21 these projects -- the subsistence projects,
22 the first project was a traditional
23 ecological knowledge project and this was on
24 hooligan. We had a Forest Service-funded
25 project which did a survey on some of the
Native households within the Cordova area
and in the Village of Tatitlek and Chenega
to try to get an idea of when hooligan were
harvested and where they were harvested. We
hope to use this data that we received from
this study in this project that was
discussed earlier that was approved for
passing on to the Federal Subsistence Board
for funding which was the FIS '02-075 which
was at the hooligan harvest opportunities.

1 The second project was a new
2 concrete substrate, again, this was funded
3 with Forest Service money for the Miles Lake
4 sonar. This particular project was
5 discussed by Doug McBride earlier. I
6 believe that he had talked about the Miles
7 Lake substrate concrete. Substrate was
8 being funded. This project is expected to
9 be completed this fall. They're actually in
10 construction right now. They have cleared a
11 trail down to the site, and they have been
12 making forms and getting the steel cut for
13 the reinforcement of the concrete and set
14 up. That we hope to be finished by the end
15 of this month at the latest.

16 Obviously, these -- this
17 particular project will certainly aid us in
18 the subsistence harvest or providing
19 opportunities because as was stated the
20 salmon that passed the sonar site at Miles
21 Lake, the enumeration is what allows us to
22 provide them from the upper river.
23 Certainly numbers have to abound so a
24 commercial fishery can occur, so we know
25 what's going up the river to allow the
26 harvest.

27 That concludes our report. If
28 there's any questions, again we're going to
29 have additional people that are going to be
30 doing more information on the 20-mile
31 situation, and we also have the wildlife
32 part.

33 Any questions?

34 MR. LOHSE: Any questions?
35 Maybe you can state for the rest
36 of the Council, maybe you can give a little
37 talk -- what that substrate entails and how
38 that sonar work, because it all affects the
39 upriver users, most of us downriver know how
40 it works.

41 Substrate is what is a base, a
42 platform really to give a flat surface for
43 the sonar counter to look back. Sonar is
44 actually placed in the water. There's a
45 short little weir that's kind of attached to
46 force fish that are migrating upriver to go
47 through the sonar stream. That will
48 register a blip or a count on the counter.
49 And the old substrate which is -- I don't

1 know how old it is now, maybe 20 years now,
it's beginning to show its years in erosion.
2 The last 75 feet of the substrate is
basically gone, and there's a single --
3 almost like a railroad track that's laid
down the center of this thing that's got a
4 roller on it that the substrate is attached
to the substrate, but the sonar counter is
5 attached too, so you can slide it in and out
of the water easily to adjust the difference
6 in the water levels. As the water comes up
you can bring it up a little further. The
7 new substrate is going to extend beyond
where the old substrate is, slightly
8 downriver, about 100 feet or 200 feet. A
little bit longer, extend out in the water,
9 during water conditions the sonar itself
will be able to sit on the substrate and
10 provide for easy counting. Excuse me.

The way it's done now is when the
11 water level is low, the sonar is mounted on
a tripod and again it's looking back up
12 towards the bank. It will still register
counts but it's a little more difficult
13 because anytime there's a small chunk of ice
coming off the glacier, it can knock the
14 sonar over. It required someone to manage
it. Early in the spring, usually if there's
15 currents or trees like that coming down,
it's a little problem. If it's mounted on
16 the substrate, they can put up a little
deflector that will help ice or anything
17 like that from getting in.

It will be slightly down the
18 river which will provide a little bit more
protection because of the way the river runs
19 and the ice flows.

Thank you --
20 Thank you. Any other questions?
Thank you.
21 Rob?

22 MR. SPANGLER: Hello, Mr. Chair
and Council, my name is Rob Spangler and I'm
23 the subsistence fisheries biologist for the
U.S. Forest Service out of Girdwood. I
24 cover the western side of Prince William
Sound and part of Kenai Peninsula as well as
25 for Forest Service administered lands. I'll
give briefly a synopsis of our monitoring

1 work done this year, and then also talk a
2 little bit about the regulation changes that
occurred.

We had a couple of monitoring
3 projects, one that Tim alluded to which was
the Coghill weir out in the western Prince
4 William Sound and that was just an extension
of the existing weir to collect a little
5 more information on coho salmon in the area,
and this year we had some problems with
6 flooding, three times the weir was
compromised. We still managed to get a
7 minimum count of about 1300 coho which was
up over last year's count around 700. We
8 had some difficulties also with pinks, pink
carcasses. We had over 150,000 pinks go
9 above, and of course, after they spawned,
they die off and stack up against the weir
10 which created some problems as well.

We're looking into some way that
11 we can alleviate those problems for next
year.

The Eulachon Project went really
12 well this year. The run was, again, much
13 longer than -- than had been previously
reported in other studies. ADF&G did some
14 work on that river back in the '70s and
they've judged the run to be about three
15 weeks long, but we found the run may stay as
long as two months. We had to kind of
16 switch gears and condense the funding into
two years to be able to cover that
17 extension.

But realizing that it's important
18 to finish out the project in that the
results can be used in other systems, the
19 Forest Service has agreed to fund the
project for next year. So we will continue
20 the project. We will continue with the life
history portion. We will continue working
21 on the larva sampling which we're using as
an index to be able to tell what the
22 population is doing from year to year. It's
kind of an indirect way of looking at
23 eulachon abundance. It's very difficult to
enumerate these fish. There's been very
24 little research done on them compared to
salmon. The methods haven't been
25 established, so we've been focusing our
efforts on trying to do this. We can tell

1 what's going on in this river system and
2 also to help other researchers as well.
3 We did put radio transmitters in
4 the 108 eulachon this year and we found them
5 moving as far as nine kilometers upstream.
6 The data is still under analysis, but we had
7 fish moving back and forth in front of other
8 fishermen which is kind of a unique -- not
9 unique to fish, but interesting observation
10 for eulachon, so there's a portion of the
11 population that probably does several
12 multi-effort fishing effort on it.
13 And the larva sampling went
14 really well. We used kind of a bongo net
15 setup. We actually filter out the juvenile
16 fish as they exit downstream, and we have a
17 good sample size. What we're going to do
18 with that then is look at the variation that
19 has been occurring in that larva drift and
20 then be able to take a subset of that,
21 maybe, and hopefully reduce the amount of
22 sampling time, you know, try to figure out
23 what the most efficient sampling regimen
24 would be to use that next year.
25 We also had another project that
26 was related to subsistence but not funded by
27 subsistence, and that was a fish inventory
28 out in Prince William Sound, and we did
29 inventory approximately 20 new drainages.
30 We did document up to four new populations
31 and some new Dolly Varden and coho
32 populations as well. That's just kind of an
33 effort that we're taking to be able to
34 better describe the fishery resources out
35 there for subsistence and also, you know,
36 for other uses as well.
37 So, I'm going to switch gears now
38 to wildlife. As you know, moose hunting in
39 that portion of Unit 7 draining into Kings
40 Bay was closed as part of a special request
41 in June of this year. Moose numbers were
42 very low and last year, or this year they
43 only counted nine animals and three of which
44 were bulls. So, the population was very
45 low, and we plan to request a permanent
46 closure in the area until such time as the
47 numbers recover and we can, again, allow
48 harvest.
49 So that concludes my report. If
50 you have any questions, I'll be happy --

1 MR. LOHSE: Any questions, Fred?

2 MR. ELVSASS: No, sounds good to
3 me.

4 MR. LOHSE: You said the hooligan
moved up nine kilometers. That's how far
5 they went up the river? That multiple they
dropped back. Did they do this with the
6 tide or did -- the drop back, was it a
function of tide or did -- were the ones
7 that brought back once it had spawned and
they still went back forward?

8 MR. SPANGLER: We can't tell if
9 they actually spawned or not. We monitored
them once a day. We weren't able to
10 correlate actual times of day. We went out
at a similar time every day. Tides may not
11 correlate with that. We did find, though,
that some of the fish would move back and
12 forth and then if the fisher came along,
they would move upstream or the gravity of
13 the river may have some influence as well.
In the early season, we had a pretty dry
14 spring, water levels are low and we did not
have hooligan moving upstream. They
15 actually extended our survey area and drove
along the highway. The first five, seven
16 months, something like that downstream of
20-mile River and the fish were actually
17 moving out there and then moving back up
into 20-mile and then even past the sample
18 site and up to, we, believe, to spawn.

19 MR. LOHSE: You figure the
spawning takes place about four-and-a-half
20 miles up the river?

21 MR. SPANGLER: It takes place in
various places from right near the mouth --
22 I believe some spawning actually occurs out
in the inlet as well, because that's --
23 basically the salinities are very low out in
the arm, and so, I think that, you know,
24 with that basically being an extension of
Placer Portage 20-mile, it's not
25 inconceivable that fish would spawn out
there as well. We do have good clumps of

1 distributions looking at, you know, our
2 radio telemetry data, and we did
3 subsequently go and try to sample the
4 substrate presence of eggs, and that was --
5 there was a lot of difficulty with that.
6 But we did document at least one other
7 spawning area.

8 MR. LOHSE: What kind of areas do
9 they spawn in?

10 MR. SPANGLER: Generally
11 speaking, they're run-type habitats, usually
12 near cut back, approximately three to maybe
13 ten feet deep in pea-size gravel.
14 Oftentimes even in the lower river you'll
15 see -- there were several cases where we
16 also will pinpoint fish locations within
17 probably five to ten meters. As the water
18 dropped, we noticed that the gravel patches
19 that occur on the sandy bars, that's where
20 we have the fish located with radio
21 telemetry. In a lot of areas we weren't
22 able to determine through presence of eggs
23 that that -- that was actually occurring
24 there.

25 MR. LOHSE: But so your feeling
is that they actually spawn in the current,
in gravel, not up in the side sloughs or --
sloughs or this more siltier sand?

MR. SPANGLER: That would be my
opinion. There is some evidence suggested
in other studies that in Canada and the
Lower 48 found them spawning in similar
substrate types.

MR. LOHSE: I was just wondering
how that compared with the hooligan on the
Copper River -- I mean the hooligan that
you're talking about go about
four-and-a-half miles up and the hooligan in
the Copper were going 20 miles.

MR. SPANGLER: In the Susitna
even farther.

MR. LOHSE: Or farther. I was
thinking that because they go all the way up

1 to mile 52.

2 MR. SPANGLER: You get up in the
3 Twentymile River, the substrate velocity is
4 different.

5 MR. LOHSE: Maybe they didn't go
6 that far.

7 MR. SPANGLER: They did cover
8 that nine kilometers in 18 hours.

9 MR. LOHSE: Interesting. Any
10 other questions for him?

11 MS. SWAN: You did say that the
12 season, they were there for two months? The
13 hooligan were there -- the season lasted for
14 two months?

15 MR. SPANGLER: That's correct.
16 Twentymile is a little different situation
17 than the Copper River. The Copper they seem
18 to come up in a large pulse, very high
19 density of fish, but in Twentymile they kind
20 of trickle in it seems over a larger period
21 of time, dip netting you'll get ten fish at
22 a time in one net. That's really good.

23 MS. SWAN: Not like getting
24 pulled in by your net.

25 I guess I never thought of it. I
didn't ever hear that that lasted that long.

MR. SPANGLER: Last year we
thought we had two different runs because
there was a spike in our run timing
separated by about a month, but this year it
appears to be pretty uniform kind of
climbing up towards mid-June, so....

MR. LOHSE: I think you'll find
if you check Gulkana or the Copper that the
run lasts every bit that long or longer
judging by the fresh hooligan that are taken
in the mouth of the Copper for the length of
the time that they're taken. I would
imagine that you'd find the run lasts from
somewhere at the end of February to the end
of July. It's a long run, but I think

1 you're right, there's a peak and everything
2 on it, but it's extended over a real
3 extended time period.

4 MR. SPANGLER: This year we'll
5 also be able to determine the level of
6 harvest we're getting, also of primary
7 interest to us is what proportion of those
8 people who are harvesting are rural
9 residents and how many are Anchorage
10 residents. We originally wanted to do that
11 objective a lot earlier but the statewide
12 assessment was not completed at this time,
13 and we wanted to make sure our data
14 collection was consistent with that report.

15 MR. LOHSE: Thank you.
16 Any other questions?

17 MS. SWAN: No.

18 MR. SPANGLER: Thank you.

19 MR. BURCHAM: Mr. Chairman,
20 Council, my name is Milo Burcham. Thanks
21 for having me up here. This serves as
22 mostly an introduction also, I'm new here
23 and don't have a lot of involvement in the
24 whole program yet. Anyway, I thought I
25 would just quickly tell you what we have for
26 subsistence wildlife issues on the Cordova
27 issue at the Forest Service there. There's
28 only limited hunting -- subsistence hunting
29 opportunities in the district right now.
30 We -- for over ten years have had a small
31 subsistence goat harvest. It's a portion of
32 the total harvest in conjunction with the
33 State hunt on goats. In conjunction with
34 that, I've helped with goat surveys this
35 past late summer and fall. Those hunts take
36 place around Prince William Sound, basically
37 in Unit 6D.

38 For moose, the subsistence moose
39 hunting opportunities are very few. We have
40 a cow hunt of five permits that just started
41 last year before that, the state managed the
42 moose hunt, and right now we're just
43 starting getting into managing this cow
44 moose hunt. And in conjunction with that,
45 I've turned in -- our district has turned

1 in, along with the Fish & Game and Cordova
have turned in a proposal that you'll see
2 sometime this period, and that proposal was
to change the subsistence season dates to
3 match the State dates that have been in
effect for ten or more years.

4 And thirdly, we have a deer
population throughout Prince William Sound.
5 Currently, deer numbers -- I should say, the
State harvest on deer is more liberal than
6 the subsistence level, and so there's no
special subsistence deer season right now,
7 and I've helped the State in the spring with
deer pellet surveys, just to gauge
8 population trends out there. And that's
what we have going on for subsistence
9 wildlife in the district right now.

Thank you.

10

MR. LOHSE: Any questions?

11

Fred?

12 MR. ELVSASS: Excuse me. How are
the deer populations? Everything else is
13 crashing. How are they holding up?

14 MR. BURCHAM: Right now -- I
don't have the results. Dave Crawley with
15 Fish & Game compiled results of the surveys
but seasons are liberal. State is allowing
16 five deer per year, and there is not any
change in that right now. And I think the
17 subsistence level has been determined to be
four deer; and so, anyway, the State season
18 dropped below that. Subsistence would still
be allowed to take four. Overall numbers
19 appear to be very good. Like I say, I'm
brand-new to here. I moved here in May.
20 Old data I'm not really familiar with yet.
I want to say '98, '99, there was a
21 relatively hard winter. Maybe, Ralph, you
could help me out. I think material numbers
22 dropped a little bit then, and I think
they're rebuilding now.

23

MR. LOHSE: They had a really
24 good winter last winter and all of the
people that went out and looked this spring
25 saw lots of fawns. There was even a lot of
does and fawns, there was a real big

1 recruitment this year.

2 So, it wasn't many threes, but
3 there were a lot of twins.

4 We had -- they had an easy winter
5 last year.

6 Any other questions?

7 MR. BURCHAM: Thank you.

8 MR. LOHSE: You have an
9 interesting area to work. That subsistence
10 moose season, one thing for the rest -- the
11 fact that you align the season with the
12 State season really doesn't amount to much
13 down there because it's all drawing anyhow,
14 isn't it?

15 MR. BURCHAM: Yes.

16 MR. LOHSE: Even the subsistence
17 moose are drawing --

18 MR. BURCHAM: 500 applicants for
19 five cow moose permits.

20 MR. LOHSE: You have more than 30
21 days to also get your moose, don't you?

22 MR. BURCHAM: The subsistence
23 regulations allow from August 15th to
24 December 31st. The State season we're
25 proposing to go along with, starts September
1st and goes through October 31st. Two
months.

MR. ELVSASS: Mr. Chairman, what
is the rationale for that? Just to make the
season the same?

MR. BURCHAM: To make the season
the same, to lessen confusion for hunters
who have lived there for many years that
have always had the moose season on
September 1st to October 31st, basically.
And the subsistence hunt only started last
year. Before that, the State managed the
hunt, and it's also, you know, an artificial
moose population. There was no moose there
before 19 -- well, they were introduced --
'59, does that sound right?

1 MR. ELVSASS: Something like
2 that.

3 But it just seems to me that if
4 there's five moose for subsistence, why
5 would you want a closure?

6 MR. BURCHAM: That might be the
7 case, but --

8 MR. ELVSASS: Thank you.

9 MR. BURCHAM: You're welcome.

10 MR. LOHSE: Okay.
11 I think that brings our agency
12 reports to an end.

13 The next thing we have is
14 election of officers and then new business.
15 We have one person that's asked to testify
16 under new business. And we need to
17 establish a time and a place for the next
18 meeting. Those are the three things that
19 are left on the agenda.

20 So, at this point in time, I need
21 to step down because you need to elect a
22 chairman. And we can either turn it over to
23 Fred or Ann, whichever one of you wishes to
24 do it.

25 I'm handing the gavel over to
26 Fred.

27 MR. ELVSASS: Okay.

28 MS. WILKINSON: First thing we
29 need then -- oh, yes, turn the mic on.

30 First thing we need, then, is for
31 the chairmanship we need a nomination for
32 Chair.

33 Do we have a nomination? Let's
34 not all speak up at once.

35 MS. SWAN: Mr. Chairman, I
36 nominate Ralph.

37 MR. JOHN: Temporary Chair, I'd
38 like to make a motion that we retain all the
39 three officers -- who's Vice Chair?

40 MR. ELVSASS: Fred, you know, I

1 know what you mean, but in turn under the
2 rules we have to elect the chair and then he
handles the other seats.

You see what I mean?

3
4 MR. JOHN: But we did this
before.

5 MR. ELVSASS: As Vice-chair, you
put me beyond my scope.

6 I get to do it one time, and
7 that's to get the chairmanship elected and
then I'm done.

Ralph has been nominated.

8 Nominations don't need a second.

9 Do we have any other nominations?

10 MR. JOHN: I move to make a
motion we close the nominations.

11 MR. EWAN: I'll second.

12 MR. JOHN: And have unanimous
13 consent.

MR. ELVSASS: Been moved to close
14 nominations and have unanimous consent for
Ralph.

15 Any objections?

16 MR. LOHSE: Just me, can I
17 object?

MR. ELVSASS: No, you can't
18 object. We won't allow that.

19 So, hearing no objections, Ralph,
you are the Chairman. Thank you.

20 MR. LOHSE: As the Chair, I'll
accept your motion for the other positions,
21 Fred, if you wish to still make the motion
to retain the other positions.

22
23 MR. JOHN: I make a motion that
we retain the secretary and the vice chair.

24 MS. SWAN: Mr. Chairman, I'm
not -- this is my last -- when I go home,
25 I'm not on this Council anymore, so I can't
be the secretary.

1 MR. JOHN: We know that, but you
2 can be secretary until you get your
3 replacement. And then when -- then the
4 person, we can vote --

5 MS. SWAN: Okay. All right.

6 MR. LOHSE: Do I hear a second
7 for the motion?

8 MR. EWAN: I'll second it.

9 MR. LOHSE: It's been seconded to
10 retain the officers as they are.
11 Question is in order.

12 MR. JOHN: Question.

13 MR. LOHSE: Question has been
14 called. All in favor, signify by saying
15 "aye."

16 COUNCIL MEMBERS: Aye.

17 MR. LOHSE: All opposed signify
18 by saying "nay."
19 Motion carries.
20 So, we have the same as last
21 time.

22 Now, we have two people that are
23 evidently leaving. Roy says this is his
24 last meeting and Clare says this is her last
25 meeting.

26 MR. ELVSASS: Really?
27 You're still here for a while,
28 aren't you, Fred?

29 MR. JOHN: I'll be here as long
30 as you're here.

31 MR. LOHSE: We're getting out at
32 the same time. I think --
33 Fred?

34 MR. ELVSASS: I wonder what my
35 term is.
36 Could you tell me what -- when
37 I'm up?

1 MS. WILKINSON: It's in the very
2 front of the book, and your term expires in
3 '02, fall season of '02 will be your last
meeting.

4 MR. ELVSASS: Oh, okay.

5 MR. LOHSE: Fred, I'd like to say
6 that that will not be your last meeting.
7 That's for this term -- that's when this
term gets up.

8 Anyhow, with that, I would like
to thank Roy and Clare, and I think as
9 Council we need to give them our thanks for
their participation. I know Roy started at
10 the same time that Fred and I did a long
time ago, seems like ages. And said the
11 same thing pretty much ever since he's been
on it, that subsistence comes first, and I
12 appreciate working with him. It's been busy
for the last couple of years, but one of the
reasons he's still here is because we valued
his opinion when he did get here.

13 MR. EWAN: I do want to say
14 something before the meeting is over.

15 MR. LOHSE: Clare, it's been
16 enjoyable working with you.

17 MS. SWAN: Thank you.

18 MR. LOHSE: And I hope that -- I
19 hope it hasn't been too bad working with us.

20 MS. SWAN: Oh, no. I just don't
21 have the time, but I'm not out of this.
I'll -- I'll probably be out there the next
meeting yelling at you.

22 (Laughter.)

23 MR. LOHSE: In that case, maybe
we better re-elect you.

24 Roy, you said -- Fred, do you
have your light on?

25 MR. JOHN: No.

1 MR. LOHSE: You had something you
2 wanted to say?

3 MR. EWAN: I did want to say that
4 I thoroughly enjoyed working with you,
5 Ralph, and other members that were here for
6 quite a while. Like Fred, I guess, you came
7 on the second three-year term, I think?

8 MR. JOHN: Uh-huh.

9 MR. EWAN: I didn't serve with
10 Fred or Clare very long, but I really
11 enjoyed working with the Council. All the
12 Council members that I did work with in the
13 past, I think they were well qualified,
14 represented their villages, communities real
15 well.

16 I was here at the very beginning,
17 I think it was a very critical time, in my
18 opinion, because I come from a small
19 community, originally, grew up in the Copper
20 River area. We really lived a subsistence
21 lifestyle when I was a child. That's how my
22 parents lived, and that's how everybody in
23 the Copper River lived when I was a little
24 boy.

25 I thought I brought some valuable
information because I grew up in the Copper
River area and lived the subsistence
lifestyle pretty much all my life even
though I had to work, like everybody else
has to do nowadays because regulations came
about, laws changed. We didn't have any
laws when I was a little child. I mean, my
father could go out and hunt anything he
wanted to, fish anytime he wanted to. There
were no laws back then.

Things have changed over the
years. So we had to go find a job. When I
grew up, I had to go to work. You can't
survive otherwise.

But I didn't like to lose my idea
of losing my lifestyle. I grew up with
caribou meat, moose meat, and the salmon
along the Copper River, and I'd like to see
our people continue to be allowed to do
that. It's a way of life for us.

I also enjoyed working with the
different staff members over the years.

1 They have changed many times. Some of the
2 people that were here at the very beginning
3 are no longer here, either retired or moved
4 on to a different agency job, or
5 transferred. I really appreciated a lot of
6 those people that helped us when we needed
7 help in trying to understand our role as an
8 Advisory Council member.

9 I know at the very beginning we
10 were all interested in why are we here, we
11 didn't know. I mean, what are we allowed to
12 do? What can we do. We had all kinds of
13 questions, do this, do that. It took a
14 little while to learn, but I really thought
15 the people that were there to help us, the
16 agency people were very helpful. The
17 coordinator that worked with us was very
18 helpful over the years.

19 Like I say, I think that the
20 beginning of the Council work was very
21 important. I think we kind of laid the
22 groundwork and it probably lasted to this
23 point, and I'm still very proud of how this
24 Council conducts business and carries out
25 the role that we have to carry out.

I really am very proud of the
Council members.

I'm going to be gone because my
term is up, and I think that I've served
long enough. I've served for many years.
In the last couple of years, I had other
work that didn't allow me to make it to the
meetings, and that is why I missed so many
meetings. I don't have that kind of work
any longer, and that's why I'm here today.

I also want to say that I fully
support some kind of a stipend for Council
members. I think we discussed that in the
past. There's a lot of sacrifice on many
individuals statewide, sacrificing of time,
money, and then, you know, to live. It
costs money just to live, and you're here
all day long. A lot of people work, take
time off from work. If you had a private
business like I had, you had to take some
time off from your private business.

Lucky, part of the time that I
served I was working for a Native
Corporation that allowed me to come here and
they paid my way. They didn't pay my way,

1 but allowed me to be here, and paid my
2 fee -- not fee, but my salary during that
time.

I think it's very important that
3 the Council members be given some, whatever
4 you want to call it, honorarium or stipend,
some kind of a money -- I mean -- I'm trying
to think, compensation for their time.
5 Because your time is valuable. I'm not
6 saying that their time, because I'm -- I
really truly believe that it's happening. I
see that you're working on that. That's
7 very good.

Also, I'm happy that we do
8 mention things like the ATV problems in the
rural areas. I know the Mentasta and
9 Chistochina have brought up problems with
ATVs or off-road vehicles damaging the
10 terrain, and this becomes a super highway
out there sometimes, a war zone in some
11 areas, so it's -- I know that in the area
out there just west of the Richardson and I
12 guess that's north of the Richardson
Highway, that area, Eureka. It's the same
13 way there. It's really out of control, ATVs
are all over in the woods back in that area
14 and it's no longer like it used to be. All
the areas that the Native people had trails,
15 are all -- there's no sign of any trail
anymore, ATV trails. It's too bad it's that
16 way. Too bad we let it go for so long, and
the public control access with ATVs and so
17 forth, to their dollars, I guess, how they
buy vehicles and how they influence -- it's
18 power, in my opinion. That's how it all
happens. It's too bad that people do go out
19 and tear up the land, people that live out
there have to live with it. It's really a
20 sorry state, in my opinion.

I already talked about the
21 predator control, including bears, that we
should not stop talking about. I think that
22 the Wrangell-St. Elias area where I hunt has
been without moose and caribou for many
23 years and probably sheep population will be
down for many years. That's too bad, it's
24 really sorry to me that you allow -- that
there's no animals out there because you
25 wouldn't control the wolf population.

I think if you had good

1 management you'd have healthy population of
all species. I really, truly believe that.

2 That's about it, Mr. Chairman.
Like I said, I want to thank everybody that
3 has assisted me while I served on the
Council. I know that I've gone to many
4 agency people and you willingly assisted me,
you know, to get information, so forth. I'm
5 real thankful for that.

Thank you, Mr. Chairman.

6
MR. LOHSE: Thank you, Roy.
7 Hopefully we'll keep working on the same
kind of things.

8 Clare, did you wish to say
anything?

9
MS. SWAN: Yes, I want to thank
10 everybody, the staff members and all the
agency people that I've been around a long
11 while and sometimes, you know, we just don't
agree on everything, but I realize that, I
12 mean in the back of your mind, one thing we
all know somewhere along the line we have --
13 we have to settle this, and that we are all
working for protection of both people and
14 the -- and our fish & wildlife. I'm really
grateful to be -- grateful to be able to do
15 that, and it's been quite an education for
me. I think that this is one of the best
16 ways to find out about your own people who
live other places in Alaska.

17 So, I'll be around. As I said,
probably in one of those chairs there, and
18 so thank you, again.

19
MR. LOHSE: Clare.

20 I have only got one other
thing -- two other things under the new
21 business, and that is we do have a Council
member, as we ran in the charter who has
22 been missing meetings for quite a while.
Was this the fourth one, Ann? This was the
23 fourth one and we've tried to contact him
and we've left messages for him and
24 questioned the rest of the Council as to do
we want to give him another meeting, or do
25 we want to ask the Subsistence Board to
replace him, because it's been -- it's been

1 four meetings now that he's missed. I'd
like to see his representation. He's from
2 Prince William Sound. It's a shame that
he's not here, but I'll leave it up to the
3 rest of the Council whether we want to take
action on it or whether we want to replace
4 our regional advisor or give him one more
try and see if we can get him to the next
5 meeting.

Any comment?

6
MS. SWAN: Mr. Chairman, I think
7 that it's -- I mean, it's necessary to
have -- you know, we need to have people who
8 represent the areas that -- or live in the
areas they represent, so perhaps if he's
9 unable to make it, they would have
another -- give him a chance to have another
10 candidate to present another candidate. And
seeing how it's in the rules, it probably
11 would be good to observe the rule.

Thank you.

12

13 MR. LOHSE: Clare, I think the
rule says "may"; I have to look at it. I
14 don't think it says "will." It's not a
mandatory rule.

15

MS. SWAN: Oh. It's one of
16 those?

17 MR. LOHSE: Yes.

18 MS. SWAN: All right.

19 MR. LOHSE: It says "may
recommend that the" -- "may recommend that
20 the Secretary of Interior or Secretary of
Agriculture will remove the individual."
21 It's not a necessity. It's a may.

22 MS. SWAN: I don't know how else
it's going to work. I would recommend to
23 recommend.

24 MR. LOHSE: Do I hear a second on
that?

25

MR. ELVSASS: What was the

1 motion?

2 MS. SWAN: I didn't make a
3 motion. I just recommended that we observe
4 the rule. Since that would give them
another chance to have someone else from
that area perhaps.

5 MR. ELVSASS: Well, I'm just
6 wondering if he's missed two years, what's
the term? Is his term expired?

7 MS. WILKINSON: His term expired
8 at the end of 2002.

9 MR. ELVSASS: Oh. Four meetings
is two years.

10 MS. WILKINSON: I do have a
11 comment about the procedure for replacing
12 him, they would -- you would have to draw
13 from the pool of applicants, and so whether
14 they selected a person from that area
depends upon whether there are currently
applicants to recommend. I do believe there
are.

15 MR. LOHSE: Well, if nothing
16 else -- I don't know, I'd like to recommend
17 to him that he has two meetings left in his
18 term. It would be nice like it says right
19 here to give him the opportunity to resign
if he's not going to attend. And at
resignation, you know, we could ask him for
a written resignation or promise to attend
the meetings.

Ann?

20 MS. WILKINSON: Mr. Chairman,
21 that would be what I would like to do is to
22 write him a formal letter suggesting that he
be -- either continue or to resign, but the
23 Council would like him to be here to
24 represent his area. If he has difficulties
25 due to work or something, we certainly
understand that, but we just need to know
what to do. And if -- I could write the
letter for the Council and send it to the
chairman for approval and send it out.

1 MR. LOHSE: I think it could be
2 fairly strongly worded too, to the point
3 that if you have no intention of attending
4 the next two meetings, a written resignation
5 would be appreciated, and that way we give
6 him the opportunity to resign, and/or attend
7 and participate.

8 Does that meet the Councils --
9 rest of the Council?

10 MR. ELVSASS: I think that's a
11 good idea. I like the idea, but in turn, I
12 think also we should copy the Village Tribal
13 Council -- Corporation.

14 MR. LOHSE: That's a good idea
15 that would be Tatitlek.

16 MR. ELVSASS: Yeah.

17 MR. LOHSE: That's a very good
18 idea.

19 Okay. One more new business and
20 then we have a testimony.

21 Other thing of new business is to
22 come up with a place and time for our next
23 meeting.

24 We have a meeting scheduled in --
25 that would be our spring meeting in March.
Do we have any suggestions as to where to
have it? March is a hard time of year for
outlying places. It will be either March or
February. Do we have a calendar to pick
from?

MS. WILKINSON: It's in the last
tab, Tab F.

MR. LOHSE: We have no other
group on this calendar yet at this point in
time. How about Seward Pen?

MS. WILKINSON: Mr. Chairman, the
North Slope Council has taken February 20th
and 21st; Seward Peninsula, February 26th
and 27. And Kodiak/Aleutians March 18 and
19.

And we share staff -- oh,
goodness, that would be -- we share a
wildlife biologist with just about

1 everybody.

2 MS. DEWHURST: Rich is with
3 Kodiak/Aleutians.

4 MS. WILKINSON: We have a
5 conflict with Seward Peninsula and
6 Kodiak/Aleutians.

7 MR. LOHSE: Basically we have the
8 first and second weeks of March open without
9 conflicting with anybody right now.

10 The two Freds are going to be
11 here, and then we'll have new appointees.

12 What would be your preference,
13 Fred and Fred?
14 Fred?

15 MR. JOHN: I'll make it.

16 MR. ELVSASS: I would prefer the
17 first week in March. Second week in March I
18 have some Tribal agendas.

19 MR. LOHSE: That would be fine
20 with me.

21 Are we going to need a three-day
22 meeting for this one, or two?

23 MS. WILKINSON: Mr. Chairman, I'm
24 not sure what all the agenda items will be
25 yet, but I would -- I would hate to hazard a
26 guess. I'm thinking that we'll probably
27 want to make some more comment about
28 customary trade, but perhaps not as in
29 depth, I don't know. And then we'll have
30 the wildlife proposals, so we haven't
31 received them.

32 MS. DEWHURST: Ann, we have two.

33 MS. WILKINSON: We still have
34 about three weeks or so.

35 MR. LOHSE: Is Monday and Tuesday
easy for the staff or is that hard for the
staff?

1 MS. WILKINSON: Generally Monday
2 requires traveling on Sunday.

3 MR. LOHSE: True. True. That's
4 right.

5 MR. LOHSE: So, a Tuesday or a
6 Wednesday would then give us the opportunity
7 to go to a Thursday if we needed it.

8 Does the 5th and 6th sound okay
9 to you, Fred?

10 MR. JOHN: Yes.

11 MR. LOHSE: Why don't you put us
12 down at this point in time, put 5th and 6th,
13 so we can travel on Monday, go home on
14 Thursday, then.

15 And at that time of the year,
16 probably -- with new members and everything,
17 probably the easiest place is probably right
18 here in Anchorage?

19 MR. JOHN: Yeah.

20 MR. LOHSE: It will only be three
21 of us old members.

22 So, why don't we just make it
23 Anchorage on the 5th and 6th? Does that
24 sound good to you, Fred?

25 MR. ELVSASS: Sounds good to me.
That took care of that.

Ann?

MS. WILKINSON: I do have a
question if there's a place you prefer to
stay, I'll start making arrangements.

MR. LOHSE: This is nice. I'm
not picky.

MS. WILKINSON: Well, if you have
a preference, tell me today before you
leave.

MR. LOHSE: Fred?

1 MR. ELVSASS: You know, at our
2 last meeting, we were going to have this
3 meeting at Cantwell, but apparently the
4 housing situation is such that we can't.
5 And I do like the idea of trying to meet in
6 areas where the people are, but recognizing
7 the time of the year is going to be very bad
8 weather, driving, so forth. So, I think an
9 Anchorage meeting is in order, but we should
10 try, again, next fall to get somewhere,
11 Copper Center, Kenai, maybe the Kenai issue
12 will heat up again and we can go down there.
13 (Laughter.)
14

15 MR. LOHSE: We also have an
16 invitation for next fall if we want to
17 consider it over the course of the winter.
18 I believe Cordova is offering an invitation
19 for the meeting to be in Cordova the
20 following fall. They're one that they put a
21 request in before, and we -- we went to
22 Mentasta instead, so that would be
23 something -- and this year we were going to
24 be -- it was on the table for this year, and
25 we chose Cantwell and we found out we
couldn't; so, I know Cordova would like to
put a bid in to have it in Cordova next fall
if at all possible. I think there's plenty
of places to stay there, plenty of places to
have a meeting. Half our Forest Service
people wouldn't have to go anywhere.
But we can't choose that time and
place now. I just was going to suggest that
you keep it in thought with the idea that we
will go someplace other than Anchorage the
following fall.

26 Okay. Now, with that that takes
27 care of our business. Now we have -- I'm
28 going to see Delice.

29 MR. ELVSASS: Delice Calcote.

30 MS. CALCOTE: Calcote.

31 MR. LOHSE: You're going to speak
32 to what proposal?

33 MS. CALCOTE: I'm going to talk

1 to you about Cook Inlet as a whole. My name
is Delice Calcote, D-e-l-i-c-e,
2 C-a-l-c-o-t-e.

To my relatives, first I am
3 Aleutic from Afognak Island on my
grandmother's side; and on my grandfather's
4 side -- he's from South Naknek and his wife
was from the Bethel area.

5 I've been residing in the Upper
Cook Inlet since 1969. Currently, I am
6 secretary for Chickaloon Village as well as
the Tribal court clerk. I also am secretary
7 for Cook Inlet Marine Mammal Council.

As employees of the State of
8 Alaska or as employees of the Federal
government, do you all believe that the U.S.
9 Constitution in the state of Alaska
Constitution are the law of the land here in
10 Alaska? The oath of office in Article 12,
Section 12 are very important to employees
11 and people who work as employees, and my
position as a significant stakeholder in
12 this State of Alaska, as many others that
are not here and able to speak because they
13 too have schedules, you know. I speak not
just for myself, but for others that I have
14 been asked to speak for as well as my
Elders, and my brothers and sisters. I'm
15 also a grandmother. I have three sons.
Some of you may remember me. I was one of
16 those that was arrested down there at the
mouth of the Kenai. I was the one that was
17 four months' pregnant with my last son at
that time.

18 You know, what I see what's wrong
with what's happening out here is that
19 everybody keeps on forgetting that they
should be implementing regulations behind
20 Article 12, Section 12, and now the Governor
has plans to amend the Constitution, which I
21 don't stand for, don't agree with, object
to.

22 Subsistence, or more correctly my
aboriginal hunting, fishing, and gathering
23 rights are recognized in the international
community and by the United States Federal
24 Government and they make a forte to the
United Nations and anybody can get onto that
25 Web site and read what the United States has
to say about hunting, fishing, and gathering

1 rights, and Alaska is spoken to in there.
It is in the reports.

2 And Alaska Tribes and our Tribal
governments and our Courts are mentioned in
3 there.

4 And I'd like to know, you know,
in that study that we were mentioning this
Department of Fish & Game man, what is the
5 State doing with that 78 tons in that test
fishery? Who is benefiting from that?

6 And these biologists, they want
to go down and, you know, study by species
7 and we don't have enough money to go study
the bears and all predators, that's going to
8 have to be another decision down the line.

9 The Tribes of Cook Inlet, the
people, the First Nations people, we do not
separate the animals from us. We do not
10 separate the land from us. Cook Inlet
Marine Mammal Council has not only the
11 beluga that we look at, we've been
developing protection measures, viewing
12 guidelines, we are looking at all the
species who is eating them, what tests are
13 going on right now -- one of my chores is to
be collecting studies that the State and the
14 Federal Governments have done in the rivers
and the watersheds and the streams and the
15 lakes of the Cook Inlet area, and what is
very evident to me, especially in this book
16 right here is that there's some
inconsistencies when it says that these
17 rivers here are noted, and yet on a previous
page over here, on page 21 that, you know,
18 the -- because I do work for Chickaloon and
this is a land-use issue and a resource
19 issue. The Matanuska Valley is mentioned in
here, and yet I don't see one river in the
20 Matanuska Valley that's mentioned over here.

21 Where is the Knik? Where is Eska
Creek? Where's all those rivers and creeks
that have been damaged by mining garbage,
22 the railroad, the Army -- there's
inconsistencies in the reports, and I don't
23 know if it's -- is someone trying to ignore
that everything has to be looked at not just
24 certain areas the representations on
Regional Councils, it's stacked in the Upper
25 Cook Inlet with non-Natives with other kind
of issues. We're outnumbered. It says in

1 here that this is going to be on a
2 government-to-government basis, where I've
3 underlined several places in here where it
4 says it's going to be Native corporations,
5 and the village corporations, and yet this
6 is government to government and there is 129
7 Federally recognized Tribes that also should
8 be consulted in this and talking to just
9 RuralCap, AITC, and AFN who took us as
10 individuals off of their constitution a long
11 time ago in their by-laws. They represent
12 only the corporations.

13 We the people do not have a vote
14 in there, and they do not represent the
15 Tribes, the 229 Federally recognized Tribes.
16 They represent village corporations and
17 regional corporations.

18 We've been witnessing
19 overhunting, illegal hunting, no respect for
20 the land, no respect for private land rules.
21 We get reports from other landowners on the
22 abuses that are happening, and we document
23 them and you know that's one of the reasons
24 why when we went after the Federal grant
25 that also we were able to use all this kind
of documentation and the pictures, and that
Chickaloon Village was able to get a one and
a half million dollar corporate program is
because of the damages, the lack of reports,
and the reporting that has been inconsistent
in the area are all reasons that, you know,
the Federal Government has approved these
requests.

26 You know, we're looking at
27 populations that are crashing everywhere.
28 It's not just the fish. It's the moose.
29 It's the caribou. We have other species
30 that are in overabundance and that was the
31 reason why the Council went and closed the
32 south side of the Matanuska River, where
33 their lands are. And, you know, we still
34 have abuses, and I want to thank the State
35 Troopers for this last weekend. We saw our
first person getting ticketed over there and
how long has ANCSA been in effect, and we
really appreciate, you know, that people are
beginning to take notice and to recognize
that there's an importance of, you know --
the Council is concerned not just for their
own lands, but for the population of the

1 species everywhere.

2 There are five BLM trails that go
3 through Chickaloon Village lands or the
4 corporation lands, yet BLM, the Federal
5 Government and the State government whenever
6 we call them or even the city police when
7 we've called them about abuses, animals left
8 there, you know, everyone just claims, Oh, I
9 don't have time, I don't have money. You
10 better call so-and-so"; and after two weeks,
11 you know, there's still nobody there to come
12 and -- you know, evidence by that time we've
13 taken care of. Because we do not want bear
14 baiting. We don't allow bear baiting, so we
15 can't -- as good land managers, we can't
16 continue to just let animals sit there and
17 rot while everybody decides they're not
18 going to show up.

19 The Exxon Valdez oil spill
20 continues to impact areas that subsistence
21 resources are collected. The material,
22 moose and caribou studies need to reflect
23 the oil spill damages that have been
24 occurring during the last 10, 12, 13 years.
25 Our fishers and hunters have reported
strange and damaged organs and I just want
to encourage that those kinds of studies are
being conducted. Silence is consent and the
Tribes have not consented. They're not
consulted -- I mean, meaningfully consulted,
not going through corporate entities, but
actually sitting down and speaking with the
Tribes. Chickaloon Village is the largest
private landowner in Matanuska Valley, and
yet the disrespect is evidence evident.

The reporting and testing and the
monitoring needs to continue along with the
Tribal governments who are also looking at
and studying the damages to our subsistence
animals and their habitats.

You know, the solution needs to
happen. You know, we read about racism and
apartheid and, you know, I believe that
those -- all of those things are evident
here in Alaska regarding -- you know, it was
the First Nations peoples who had the right
of subsistence and for everybody to hop
along on the wagon when everybody else has
been outnumbering us, damages traditional
trails that have been used for our

1 subsistence uses, for our bartering and
trading, you know, those things are damaged.

2 And to see the disappearing
populations is -- is very sad, and I -- you
3 know, my goal in continuing to work both as
an employee and also as a volunteer is to
4 continue to work for our hunting, fishing,
and gathering rights; and I encourage all
5 the Tribes to realize that the international
community is watching, and this is -- this
6 is very significant what is taking place.

I do not believe that a
7 Constitutional Amendment is going to -- is
going to effect any changes when the State
8 and the Federal government have not worked
together to implement Article 12, Section 12
9 where our land and our fishing -- that is a
disclaimer clause that was -- that's been
10 recognized internationally, and for them not
to have been implementing regulations, but
11 for everybody to spin their wheels in all
these other directions and not have
12 meaningful contact when we have how many
executive orders? How many people have
13 budgets that allow this and supporting their
own families where all families continue to
14 do without, we continue to see the social
effects of this, the health effects of this
15 and the need for the Tribes to bind together
and assert all of their jurisdiction, all of
16 their interest national human rights that
have been talked about since before the
17 1900s.

And for this to have to continue
18 to be evidence -- evident in 2001 does not
show good faith and credibility.

19 And I just want everybody to work
together, have respect for one another, and
20 that our concern is for the land and the
people because we're all being affected by
21 this. The non-Natives as our neighbors, but
they have to realize that, you know, they've
22 damaged, they've allowed multitudes of
damage from the military, the corporations,
23 the mining activities, and even the
commercial people, commercial fishermen,
24 people are not without fault in this.

I thank you for this venue and
25 for listening to me, and I just -- from the
Tribes' point of view, we are watching, and

1 we are working on an international level for
2 protection of our human rights that have
3 been recognized for hundreds and hundreds of
4 years.

5 Thank you.

6 MR. LOHSE: Thank you, Delice.
7 The only comment I can make is
8 the people that you see up here are not
9 government employees. We do not work for
10 the State; we do not work for the Federal
11 Government.

12 MS. CALCOTE: You are
13 intermediaries, are you not? Is that what I
14 read in the purpose for this?

15 MR. LOHSE: Right.

16 MS. CALCOTE: Thank you.

17 MR. LOHSE: With that, if there
18 is no further business that anybody has a
19 Council member --
20 Fred?

21 MR. ELVSASS: What about the
22 Denali sonar issue, didn't they want some --
23

24 MR. LOHSE: Yes, they wanted some
25 direction. That was under new business.
26 Let's go back. We can go back under new
27 business, and they wanted some
28 recommendations on our part on the proposal
29 in the Denali zone.

30 MR. JOHN: I thought we had -- we
31 put it in our position -- I thought we
32 already did that a long time ago.

33 MR. ELVSASS: No, that was my
34 understanding we deferred it to new
35 business.

36 MR. LOHSE: Yeah, we did. We
37 deferred it to new business.

38 MR. ELVSASS: Basically, what
39 they want is to concur and support their

1 request.

2 MR. LOHSE: Or comment on it.

3 MR. ELVSASS: Or comment on it.
4 That's what I think we should do
at this point.

5 MR. LOHSE: That was the position
by the Denali SRC to require a three-year
6 residency period in Cantwell in order to
be -- have resident zone status for hunting
7 in Denali Park preserve.

Any comments on it?
8 Fred?

9 MR. ELVSASS: I have a couple of
things. Firstly, I support the idea. I
10 like the idea. I think we should concur
with their thoughts, but also in the area
11 of -- was its the Wrangell-St. Elias zone,
they were talking about a one-year
12 residency, and I think that, you know, we
should suggest that that be three years. I
13 have to agree with the Denali people that
one year isn't enough. Somebody comes into
14 the country; they're there 12 months and
they don't fully understand and appreciate
15 the country that they're hunting and fishing
in; and I like the concept of three years,
16 and -- so, on the issue before us, I support
what they're asking for.

17
MR. LOHSE: Do you wish to make a
18 motion in support of it? Or just --

19 MR. ELVSASS: Mr. Chairman --

20
MR. LOHSE: Or make a motion to
21 recommend it or what would you prefer to do
on that? Or just have a consensus.

22
MR. ELVSASS: I believe if it's
23 okay by the Council here as consensus we
write a letter to them stating our support
24 and I think that's the best we can do at
this point. I don't think we should carry
25 the ball anyplace or run with it, just
that's what they were asking for was

1 support.

2 MR. LOHSE: So you're suggesting
3 that we write a letter to the Denali SRC
4 supporting their concept of a three-year
5 waiting period for residency.

6 MR. ELVSASS: Right. Exactly.

7 MR. LOHSE: Fred or Roy, any
8 comments on that?

9 MR. EWAN: Mr. Chairman, I don't
10 have any comments, because I really wasn't
11 at that part of the discussion this morning.

12 MR. LOHSE: Okay.

13 MR. EWAN: But I can say that I
14 support the idea, you know, if they feel
15 that people moving to the area should be
16 there longer before they haul out, I believe
17 if you can get away with it legally, I would
18 support it. I know the State residency
19 requirement was challenged for one thing or
20 another. It went to court, I don't know if
21 something like this will happen here.

22 MR. LOHSE: It sounds like the
23 Park Service could implement those kind of
24 regulations in the park.

25 Fred, were you going to say
something?

MR. JOHN: I'll just say I'll
support that. I think it's good.

MR. LOHSE: Clare?

MS. SWAN: I support that concept
too.

MR. LOHSE: I support the
concept. I don't know if I'd pick any
particular length of time, but I do see
where the problem is that was brought to us

1 from both Wrangell-St. Elias and Denali that
2 basically somebody can move there the day
3 before hunting season, declare that their
4 intention is to live there for permanent,
5 and they can undecide at the end of hunting
6 season and leave. And that doesn't -- I
7 don't think that that meets the intention of
8 the law to allow subsistence hunting in the
9 park. I think the intention was to provide
10 rural residents with the opportunity to hunt
11 in the park, and in my way of thinking,
12 residents are somebody that live there.

13 So, I think we could do that. We
14 could do what Fred says and just write a
15 letter to the Denali SRC and state our
16 concurrence with their idea that a residency
17 requirement is a good idea. And we can even
18 go so far as to support their wish for three
19 years in Cantwell, because they're only
20 asking for Cantwell, they're not asking for
21 every place, their reasoning behind their
22 three-year residency requirement for
23 Cantwell. And we can go from there.

24 And, Ann, I think you can just --
25 we have to write that and I have to sign it,
right, or --

MS. WILKINSON: I don't have to
write it, but I certainly will draft a copy
and send it to you for your approval. I've
done that before.

MR. LOHSE: All right. Thank
you.

Okay. Was there any other new
business that I have forgotten?

Seeing -- oops, Ida has got a
piece of new business.

MS. HILDEBRAND: Not new
business, Mr. Chairman.

Thank you, Mr. Chairman. Ida
Hildebrand, BIA staff committee member. I
thought you might go off record before I had
a chance to -- the Council in general, in
particular for the Council, especially for
Clare, especially for the conditions on the
Kenai, I can appreciate what it is -- and to
Roy, I'm going to start crying, on behalf of
the Federal program, we just couldn't let

1 you go without saying thank you for an
2 exceptional job, and personally to know what
3 it's like that's a true subsistence liver to
4 be on the Council is really meaningful to
5 any Council. I appreciate the insights and
6 the statements you made all the years, not
7 to take away from all the rest of you. You
8 all contribute the rest -- truly. Roy is
9 leaving. I have to say these things, it's
10 more than meaningful to have someone to --
11 who has lived it. And to be such a
12 gentleman in the process. I have never been
13 that balanced in my -- I tend to get angry.
14 And you have been such a gentleman, and I
15 thank you. I want to thank you.

16 (Applause.)

17

18 MR. LOHSE: Hollis, has got his
19 hand up.

20 MR. TWITCHELL: Hello. I would
21 like to lend my thanks and congratulations
22 to this whole Council, and particularly to
23 you, Roy, for all the years you've been
24 here, guiding us, giving recommendations and
25 thoughtful input. You're clear role as
26 Chair when you were chairing this Council.
27 To all of us from the agency standpoint,
28 your knowledge, leadership and help was
29 extremely beneficial, and we thank you
30 greatly. As I look across the room behind
31 me, there's only three people that I
32 recognize from the early days that were here
33 at the beginning of these Councils, and for
34 all the other staff that's worked with you,
35 thank you very much. Clare, thank you for
36 your time. I wish that you had the
37 opportunity to serve another term, that
38 would have been wonderful, but I understand
39 your personal needs as well.

40 I know from Denali and from an
41 agency's perspective, I always look forward,
42 particularly to this Council. I think
43 particularly in those early years with the
44 range of very difficult issues that came
45 before this particular Council you were
46 extremely balanced and extremely thoughtful
47 in deliberations and discussions of all the

1 issues that come before you.
 2 I deal with three Regional
 3 Councils, and I've always been honored to be
 4 in attendance of your meetings and listen to
 5 your guidance and recommendations.
 6 Thank you very much.

7 MR. LOHSE: With that, I don't
 8 see any other hands up. A motion to adjourn
 9 is in order.

10 MR. EWAN: I make a motion to
 11 adjourn.

12 MR. LOHSE: Roy makes a motion to
 13 adjourn.

14 MS. SWAN: Second.

15 MR. LOHSE: Seconded by Clare.
 16 Meeting adjourned.

17 (Southcentral Subsistence
 18 Regional Advisory council adjourned at 4:25
 19 p.m.)

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2 I, Sandra M. Mierop, Certified
3 Realtime Reporter, do hereby certify that
4 the above and foregoing contains a true and
5 correct transcription of the Southcentral
6 Federal Subsistence Regional Advisory
7 Council meeting reported by me on the 3rd
8 day of October, 2001.

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Sandra M. Mierop, CRR, RPR, CSR

